

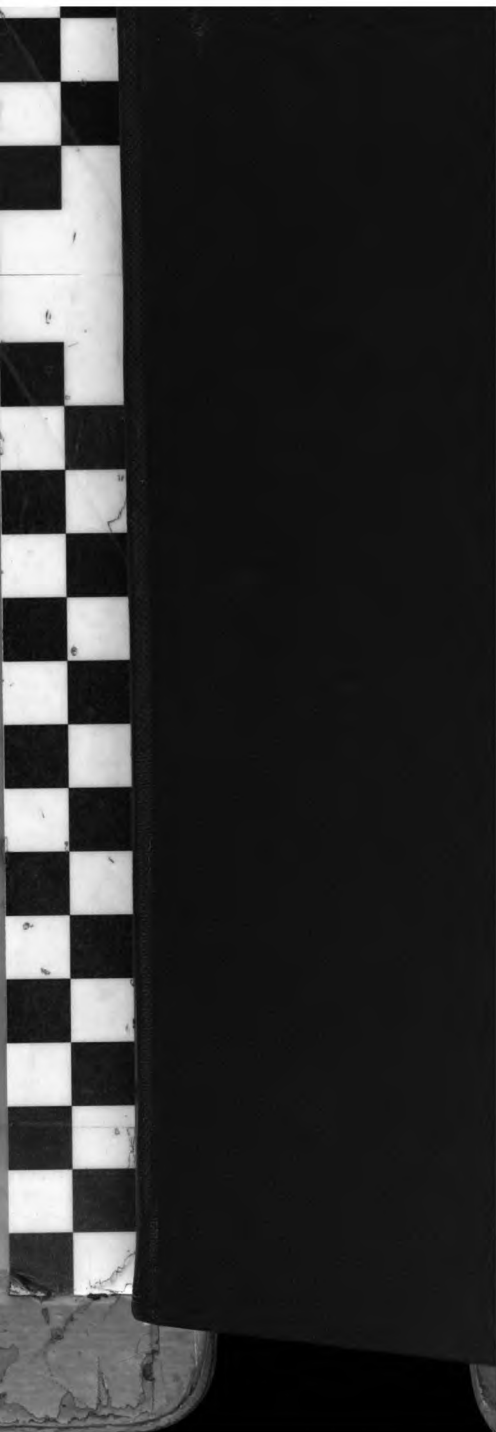


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VOL. I.

COLLECTION  
ON IRISH  
CHURCH HISTORY  
BY THE LATE  
J. R. NEENEHAN





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COLLECTIONS  
ON  
IRISH CHURCH HISTORY,

FROM THE MSS

OF THE LATE

V. REV. LAURENCE F. RENEHAN, D.D.,

PRESIDENT OF MAYNOOTH COLLEGE.

EDITED BY

THE REV. DANIEL MCCARTHY.

—o—

VOL. I.

Irish Archbishops.

—o—

"Sint tibi divitiæ divinæ dogmata legis,  
Sanctorumque patrum castæ moderamina vitæ"—

S. COLUMBANUS.

D U B L I N :

C. M. WARREN, 21 UPPER ORMOND QUAY;  
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TO

THE MOST REVEREND

The Archbishops of Ireland,

THIS VOLUME

IS

HUMBLY INSCRIBED.





## P R E F A C E.

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IN submitting to the public a posthumous work, it is usual to point out the authority under which the Editor acts, the changes he has made in the original papers, the aid, if any, he has received in preparing them for press, and finally, the nature of his design. On each of these heads a few remarks have to be made in this preface.

I. The following "Collections" are taken for the most part from the "O'Renehan MSS," bequeathed by the late President of Maynooth, the Very Rev. Laurence F. Renehan, D.D., to the Trustees of Maynooth College, "for the use of the public library of said College."

Some time after Dr. Renehan's lamented death, the Editor, at the suggestion of the Rev. Matthew Kelly, D.D., since deceased, applied for permission to publish, *on his own responsibility*, such portions of these MSS as he may think fit; and the permission on the above terms was kindly granted by the Board at their June meeting, 1858. This volume was put to press immediately after, and was printed down to p. 138, when Dr. Kelly died. Under his care it had progressed thus far, the additional notes, pp. 8, 13, 48, 108, being also written by him; and it is much to be regretted that the whole work was not edited by him, for no man living was more competent to the task, having devoted, or rather sacrificed his life to the study of Irish history.

II. The changes made by the Editor it is unnecessary to specify in detail, as they are invariably marked most distinctly by being placed within brackets both in the notes and text. In dealing with the MSS, the course recommended at the very outset by one of the illustrious prelates to whom the volume is inscribed—to give Dr. Renehan's own views in his

own words—has been followed out strictly with but few unimportant exceptions.

III. For the style, order, and *prudence*, so to speak, of the whole publication as well as for the parts added by himself, the Editor is alone accountable. Dr. Renehan would have never presented to the public any one of the papers now printed without important changes both in the substance and expression. Dr. Kelly had not strength to apply himself to serious study when this volume was commenced.

If, then, strange and mistaken views are sometimes put forth, and documents inserted which should not be published as yet, or perhaps at all ; if there be any want of unity of design and execution beyond what is unavoidable in a book compiled by different hands, these defects cannot be justly ascribed to the honored dead ; the Editor did not seek or receive aid or counsel from others. He still indulges the hope that however numerous the errors may be, *they* will not be the first to judge them severely who have laboured in the same field, and who can appreciate, therefore, the great difficulty of consulting rare books on Irish history, and of verifying frequent references to them.

IV. The design has been two-fold:—1° To give in this volume the lives of the Archbishops from the Reformation down to 1800 ; it was thought hardly possible to come nearer our own times without provoking angry discussion or wounding private feelings. 2° To collect ancient statutes, decrees of Congregations, letters, documents in short of every kind not hitherto published, illustrating the history of the Irish Church during the same period.

In Armagh and Cashel the list of Archbishops is almost complete within the prescribed limits, the only exception being the Most Rev. R. O'Reilly, whose name has been omitted for reasons given in p. 113. Dr. Renehan left no memoirs of the prelates who filled the see of Dublin from Dr. Creagh to Dr. Troy, nor of the Archbishops of Tuam from Dr. Lynch to Dr. Kelly—intervals too wide to be filled up suddenly amidst the pressure of other duties.

The second object in view has been also carried out, at least imperfectly. The collection of documents could have been, no doubt, easily made more complete, and will be so,

please God, hereafter ; but it should be remembered that since the publication of the " *Hibernia Dominicana*," one hundred years ago, this is almost the first effort made to rescue from oblivion the scattered fragments of Irish Church history, and to bring them together in an available form. If much has been left undone therefore, credit is at least due for making a good and useful beginning..

For valuable papers left at his disposal the Editor has, in fine, to return his most grateful thanks to the Rt. Rev. Dr. Moriarty, Bishop of Kerry ; the Very Rev. Canon Lee, D.D., P.P., Bray, and the Very Rev. Charles Boardman, S.J. Librarian, Stonyhurst College. His acknowledgments are also specially due to J. W. Hanna, Esq., who has collected much interesting information on the lives of our bishops.

DANIEL M<sup>C</sup>CARTHY.

Maynooth College, September 26, 1861.

The following is a summary of the obituary notice (communicated), which appeared in the Dublin papers July 28, 1857, the morning after Dr. Renehan's decease :—

The Very Rev. Laurence F. Renehan, second son of Laurence Renehan, Esq., and Catharine Borden, was born at Longford Pass, in the parish of Gurtnahoe, county of Tipperary, in 1797. Being destined for the Church from his youth, he learned classics first in Freshford, afterwards in Kilkenny. In September, 1819, he entered for logic in Maynooth College. After completing the usual course, he was elected a Dunboyne student in 1825 ; a few months later, September 15, 1825, junior dean ; and ordained priest the same year. July 2, 1827, he obtained by public concursus the S. Scripture chair, which he filled with great ability until June 27, 1834, when he was named vice-president. While professor he declined to accept the parish of Cashel, offered in the kindest manner by the M. Rev. Dr. Laffan ; and while vice-president he acted as bursar from June 24, 1841, to June 24, 1843, at a time that the strictest economy was found necessary to meet the usual expenses and heavy debts. For his services in this difficult office he was twice voted 'the most cordial thanks of the Board as justly due.' He was chosen also on two different occasions to superintend the Dunboyne establishment in the absence of the learned Prefect.

On the resignation of the Very Rev. Michael Montague, June 24, 1845, Dr. Renehan became president of Maynooth, and held that

responsible position until his death, at half-past eleven o'clock, a.m., on Monday, July 27, 1857.

Up to the end of January, 1856, Dr. Renehan enjoyed uninterrupted good health, without being ever subject to any of those diseases to which close students are sometimes liable. About that time he was suddenly struck with paralysis, which at first presented no very dangerous symptoms; but a renewed attack in the spring of the following year left no remedy or hope. Fully conscious of approaching death, he resigned himself humbly to the holy will of God, received the sacred rites of the Church as often as possible, and spent his whole time in prayer and meditation. For the last weeks of his life no one even visited him at his own request but his spiritual director, the medical attendant and servants, who watched faithfully by his bedside up to the last moment.

Dr. Renehan compiled—1° “Requiem Office,” with a careful synopsis of decrees prefixed, a little book now in the hands of all our priests; 2° “Choir Manual of Sacred Music,” with grammar (re-printed since his death); 3° “History of Music”\* (printed under the care of the Editor), a copy of which was presented, according to his request, to each student of the college; 4° “Donlevy’s Irish Catechism,” third edition with preface containing an interesting account of the Irish religious books previously published; 5° “O’Renehan MSS,” comprising nearly one hundred volumes, amongst which will be found a few of the rarest printed books on Irish history with notes by Dr. Renehan, for example, “Harris’ Ware,” with additions, Dr. Burke’s “Hibernia Dominicana,” annotated by *Dr. Burke himself* and by Dr. Renehan; transcripts of rare MSS; the Black Book of Limerick; the Annals of Innisfallen, and Clonmacnoise; the works of Dr. Keating, etc.; besides extracts from State Papers, memoirs of Irish bishops and writers, notices of Irish colleges abroad, all of which he bequeathed to the Trustees of Maynooth College for the use of the public library.

Besides other provisions in his last Will for the public benefit and the relief of the poor, he ordered £100 to be expended in enclosing and improving the little Cemetery of the college, and a slab to be erected having the names of those buried there inscribed. These useful changes have been carried out since Dr. Renehan’s decease, and a neat Gothic monument raised over his own grave, according to designs furnished by J. J. M’Carthy, Esq., Architect.

\* Published by Mr. Warren, 21, Upper Ormond-quay, who got permission to sell a limited number of copies.

# LIST OF IRISH ARCHBISHOPS SINCE THE REIGN OF HENRY VIII.<sup>a</sup>

## ARCHBISHOPS OF ARMAGH.

	Consecrated.		Deceased.	Page
George Cromer,	Apr., 1522,		16 Mar. 1542	1
Robert Waucop,	1542,		10 Nov. 1551	3
George Dowdall,	Dec., 1543,		15 Aug. 1558	4
Richard Creagh,	17 Mar., 1563-4,		14 Oct. 1585	9
Edward Magauran,	1586,*		15 Feb., 1598 <sup>b</sup>	18
Peter Lombard,	1601,		1625	20
Hugh M'Caghwell,	7 June, 1626,		22 Sept. 1626	24
Hugh O'Reilly,	Kilmore, 1627,	trans. 1628,	7 July, 1651	27
Edmond O'Reilly,	1654,		March, 1669	48
Oliver Plunkett,	30 Nov., 1669,		1 July, 1681	63
Dominick Maguire,	1681,		1708	79
Richard O'Heain,	1709,	declined.		85
Hugh M'Mahon,	Clogher, 1708,	trans. 1709.	2 Aug., 1737	85
Bernard M'Mahon,	Clogher, 1709,	trans. 1738.	27 May, 1747	99
Ross M'Mahon, <sup>c</sup>	Clogher, 1739,	trans, 1747.	29 Oct. 1748	100

<sup>a</sup> Whenever the precise year of consecration (=appointment), or death, was not well ascertained, I have given the most probable date, and marked it with an asterisk.

<sup>b</sup> Wadding, tom. xxiii. p. 294, *sub. an.* 1598. *Suspendio necatus, hastisque confossus in odium Catholicæ fidei, cœlestia petivit die xv. Feb. Edmundus de Garan, Ultoniæ nobili genere ortus, jam tertii ordinis alumnus, archiepiscopus Armacanus, ac totius Hiberniæ primas: commissum sibi gregem, qua verbis, qua sacramentorum pabulo, qua vitæ inculpatæ exemplo fovebat.*

<sup>c</sup> The inscription on the *tomb* of the M'Mahons, omitted in its proper place, deserves some notice here.

In the old churchyard of the chapel of Erigail (situate midway between Coote-hill and Rockcorry in the county of Monaghan), a little in front of the church door, is a neat monument, inscribed thus:—

“Hic jacent Bernardus et Rochus MacMahon, fratres germani; uterque successive archiepiscopus Armacanus, totius Hiberniæ primates, quorum nobilissimi generis memor pietas, atque æmula doctrina, vitæque titulis non impar mœrentem

	Consecrated.		Deceased.	Page
Michael O'Reilly,	Derry, 4 Apr. 1739,	trans. 1749.	1758	100
Anthony Blake	Ardagh, 1755,	trans. 1758.	Dec., 1787 <sup>a</sup>	103
Richard O'Reilly,	Coadj. Kildare 1781,	{ trans. coadj. Apr. 1782; succd. Dec. 1787. }	31 Jan. 1818	
Patrick Curtis,	28 October, 1819,		26 July, 1832	
Thomas Kelly,	{ Dromore, 27 Aug. 1826; coadj. of Ar- magh, 23 Dec., 1828, }	succd. 26 July, 1832,	13 Jan. 1835	
William Crolly	Down, 1 May, 1825,	{ trans. 8 May 1835. }	6 Apr. 1849	
Paul Cullen,	24 February, 1850,	trans. to Dublin.		
Joseph Dixon,	21 November, 1852.		Diu sospes sit.	

## ARCHBISHOPS OF DUBLIN.

	Consecrated.		Deceased.	Page
George Browne <sup>b</sup> (apostate),	appon. by Henry VIII., 1535:			
	deprived by Queen Mary, 1554			162
Hugh Curwen <sup>c</sup> (apostate)	appointed by Mary, 1555;			
	translated to Oxford, 1567			183
Donaldus, <sup>d</sup>				
Matthew d'Oviedo,	5 May, 1600,		1609*	185
Eugene Matthews,	{ Clogher, 31 Aug. 1609, }	trans. 2 May, 1611,	1622*	187
Thomas Fleming,	23 October, 1623,		1656*	200

patriam decoravere. Bernardus obiit die 27 Maii 1747, ætat. 69. Rochus die 29 Oct. 1748, ætat. 49. Ambo pares virtute, pares et honoribus ambo.

This monument was erected by Mr. Roger M'Mahon, brother to the deceased primates, A.D. 1750."

<sup>a</sup> This date is given in Walker's *Hib. Magaz.* in obituary for Dec., 1787.

<sup>b</sup> Neither G. Browne of Dublin, nor A. Devereux of Ferns was ever approved at Rome (see p. 388); both were schismatics first, then heretics.

<sup>c</sup> H. Curwen was promoted by Queen Mary, but as far as I could see his appointment was not sanctioned by the Pope; compare on the other hand the reference in *Hib. Dom.* p. 817. Of the *canonically* elected Irish bishops it is hard to prove that any, except Edward Staples and Miler Magrath, were guilty of apostasy.

<sup>d</sup> Before Oviedo, an archbishop governed Dublin, of whom nothing is recorded but the name "Donaldus," casually inserted in the Bull appointing Oviedo to the see, vacant "per obitum Donaldi." I am indebted to his Grace the Most Rev. Dr. Cullen, Archbishop of Dublin, for this interesting fact.

<sup>e</sup> De Burgo says 1666, but this year seems to be put by him for the last in which Dr. Fleming could have lived, having regard to Dr. French's statement, rather than for the time in which he really *did* live.—*Hib. Dom.* p. 817.

	Consecrated	Deceased	Page
Peter Talbot, <sup>a</sup>	2 May, 1669,	Dec., 1680	202
Patrick Russell,	2 August, 1683,	14 July, 1692	229
Peter Creagh,	Cork, 1676,	{ transl. 9 } Mar. 1693 } July, 1705	234
Edmund Byrne,	31 March, 1707,	10 Feb. 1723	
Edward Murphy,	Kildare, 1707,	trans. 1724, 22 Dec. 1728	
Luke Fagan,	Meath, 1713,	{ trans. Sept. } 1729, } 1734 <sup>b</sup>	
John Linegar,	1734,	21 June, 1757	
Richard Lincoln,	coadj. 1755,	sucd. 1757, May, 1763	
Patk. Fitzsimons, <sup>c</sup>	1763,	25 Nov. 1769	
John Carpenter,	3 June, 1770,	29 Oct. 1786	
John Thos. Troy, <sup>d</sup>	{ Ossory, 8 June, } 1777, }	trans. 3 Dec. 1786, 11 May, 1823	
Daniel Murray,	{ coadj. 30 Nov., } 1809, }	suc. 11 May, 1823, 26 Feb. 1852	
Paul Cullen,	{ Armagh, 24 Feb. } 1850, }	trans. 3 May, 1852, Diu sospes sit.	

<sup>a</sup> The date of Dr Talbot's consecration given here is taken from *Hib. Dom.* p. 818. Dr. Moran (note to "Memoirs of Dr. Plunkett," p. 21,) says it appears from Dr. Talbot's letters, that he was consecrated on the 8th of May (O.S.), same year.

<sup>b</sup> Mr. Dalton and other writers have 1733. In the archives of Dublin may be seen the original form of collation of the parish of Clontarf by Dr. Luke Fagan in 1734.

<sup>c</sup> Still 'elect', Jan. 8, 1764 (see p. 323). At the south of the present Protestant church of Clonsilla, between the second and third buttress, on the right of the chief entrance, immediately outside the wall, lies a large plain slab on a level with the ground, bearing this inscription:—

I. H. S.

"Here lyeth the body of the Most  
Rev. Doctr. Patrick Fitzsimons,  
late T.A.R.P. of Dublin,  
son of Richd. Fitzsimons of  
Clonsillagh who departed this life  
ye 25 of Novemr., 1769, aged 74."

<sup>d</sup> The General Congregation, held at Rome, Monday, Nov. 27, 1786, decreed the translation of Dr. Troy. It was confirmed by the Pope on Sunday, the 23rd December, same year. Dr. Troy left Kilkenny on Monday, Feb. 5, 1787, reached Dublin on the 7th, and took possession of the see in Francis Street church on Thursday, 15th Feb.—MS Italian note in one of Dr. Troy's Directories.



## ARCHBISHOPS OF CASHEL.

	Consecrated.	Deceased.	Page
Edmund Butler,	1527,	5 Mar. 1551	239
Rowland Baron,	December, 1553,	28 Oct. 1561	239
Maurice Fitzgibbon,	1567,	6 May, 1578	241
Darby O'Hurley,	1580,*	6 May, 1584	251
Thurlough O'Neill, (never presided over Cashel),			256
David Kearney,	1604,*		1625 258
Thomas Walsh.	7 June, 1626,	5 May, 1654	276
William Burgatt,	1669,		1674* 281
John Brennan,	Waterford, 1672,	trans. 1677,	1692 287
Edward Comerford,	June, 1697,		1705 296
Christopher Butler,	18 October, 1712,	4 Sept. 1757	303
James Butler I.	coadj. May, 1750,	sucd. 1757, 17 May, 1774	314
James Butler II.,	coadj. 4 July, 1773,	sucd. 1744, 29 July, 1791	323
Gerard Teahan,	{ appoin. to Kerry, 13, June, 1787, cons. same year, }	trans. to Cashel 14 De- cember, 1791—declined.	358
Thomas Bray,	14 October, 1792,	9 Dec. 1820	356
Patrick Everard,	{ appoin. coadj. 25 Sept., 1814, con- sec. 25 Apr. 1815, }	succd. 1820. 31 Mar. 1821	
Robert Laffan,	6 July, 1823,	3 July, 1833	
Michael Slattery,	24 Febr., 1834,	4 Feb. 1857	
Patrick Leahy,	29 June, 1857.	Diu sospes sit.	

## ARCHBISHOPS OF TUAM.

	Consecrated.	Deceased.	Page
Thomas O'Mullaly,	19 June, 1514,	28 Apr. 1536	387
Denis O'Dwyer,	(probably never presided over Tuam)		387
Chris. Bodekin,	Kilmacd. 4 Nov. 1534,	trans. 1536,	1572 390
Nicholas Skerrett,	1580,*		1583 392
James O'Hely,	1585,*		1587* 392
Marianus O'Higgin,	1593,*		1597* 394
Florence Conry,	1608,	18 Nov. 1629	395
Malachy Quæly,	1631,	25 Oct. 1645	402
John de Burgo,	Clonfert, 1639,	trans. 1647.	1666 405
James Lynch,	1669,		1715
Bernard O'Gara, <sup>a</sup>	1724,*		1739*

<sup>a</sup> I cannot conjecture who the "ultimo archipræsule Tuamensi" mentioned by Dr. M'Mahon, "Jus Primatiale," p. 17, could have been. Bernard O'Gara's signature authenticates the pedigree of Mulrony M'Dermott, lord of Moylurg (Coolavin), "hac die 8vo Nov., A.D. 1738, Bernard Ar. Tuamen." The same instrument is signed "Michael Archiep. Tuamen," 17th June, 1742. See also Michael's

	Consecrated.		Deceased.
Michael O'Gara,	1740,		1748 <sup>a</sup>
Mark Skerrett,	Killala, 1748,	trans. 1749,	1781 <sup>b</sup>
Philip Philips,	{ Killala, 1760,	{ trans. 1783,	Oct., 1787 <sup>c</sup>
	{ Achonry, 1776,		
Boetius Egan,	Achonry, 1787,	{ trans. Dec.,	June, 1798 <sup>d</sup>
		{ 1787,	
Edward Dillon,	{ coadj. Kilmacd.	{ trans. by	
	{ 18 May, 1794,	{ Bull, dated	30 Aug. 1809
Oliver Kelly,	12 March, 1815,	1798, <sup>e</sup>	18 April, 1834
John MacHale,	{ coadj. of Killala,	{ trans. 8 Aug.	Diu sospes sit.
	{ 12 June, 1825;	{ 1834.	
	{ bish. of Killala,		
	{ 27 May, 1834,		

approbation as "A.T." to Donlevy's Irish Catechism, "given at Paris, 18 April, 1741."

*a* He held a synod in this year.

*b* I have before me his decrees or pastoral instructions of 1752, 1754, 1762, 1763, 1772; he was still living, Feb. 11, 1781—see Dr. Troy's letter of that date to Dr. Fallon; but I have not found his death recorded any where.

*c* *Hib. Magaz.*—amongst the deaths for October, 1787. The dates of consecration to Killala, and of translation first to Achonry, thence to Tuam, are taken from extracts from the Propaganda archives *penes me*

*d* Letter from Dr. French to Dr. Bray, dated July 3, 1798, announcing Dr. Egan's death, and asking support for Dr. Costelloe; see also letter of Dr. Troy in *Castlereagh's Memoirs*, vol. ii. p. 173.

*e* In a letter to Dr. Bray, dated April 17, 1799, Dr. Dillon writes, "I received the Brief for Tuam the day before Palm-Sunday; I have consecrated the Holy Oils there on Holy-Thursday," etc. He issued an eloquent address against the United Irishmen to the laity of *Kilmacduagh and Kilfenora* as their bishop, April 6, 1798.—*Castlereagh's Memoirs*, vol. i. p. 170; cf. vol. ii. p. 347.

*Corrections in these lists and papers illustrating the Lives of Irish Bishops will be always gratefully acknowledged.*—Ed.



# COLLECTIONS ON IRISH CHURCH HISTORY.

## ARCHBISHOPS OF ARMAGH.

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GEORGE CROMER.

GEORGE CROMER consecrated archbishop in April, 1522, made chancellor July, 1522,\* died 16th March, 1542. He was an Englishman, and vigorously opposed the schismatical efforts of Henry VIII. in Ireland. The English convocation had already been forced to accede to his supremacy; the parliament had conferred that title, with all its attendant powers upon him. "Then followed the suppression of monasteries, the translation of the Scriptures into the vulgar tongue, and their partial dissemination amongst the people." Thus encouraged, he resolved to be made supreme head, in spirituals and temporals, of the Irish Church also. With this view Cromwell, his vicar general, commissioned in 1538 George Browne, archbishop of Dublin, and other reformers to bring over the Irish clergy and nobility to accede to the measure. Cromer, who had ceased to be chancellor since 1534, denounced the rejection of the Pope's supremacy as "detestable and impious," summoned his suffragans and the clergy of Ulster to meet him, represented to them that Ireland had been long called "the Island of Saints," and had belonged to the English kings solely by the grant of the Pope, whose property it was, and pronouncing *censures* of excommunication against all who should acknowledge the supremacy of the king, exhorted them with great force of eloquence to resist unto death the schismatical attempt, as "they regarded their hopes of eternal salvation." After this he sent two messengers to acquaint the Pope with the dangers of the Irish church and to implore his advice and interference. So generally did he succeed that the people and clergy, with *very few* exceptions in the *Pale* adhered to the Pope, and even in the pliant parliament of that day, a very warm and determined, though eventually fruitless, opposition was made to sanctioning the title by law. In May, 1536, Lord Grey convoked the parliament in Dublin, which, spite of all opposition, de-

\* Ware says he was Chancellor only from July 1532 to 1534, and *he* seems to be right.

clared on the motion of Browne, seconded by Justice Brabazon, that the king "was supreme over ecclesiastical matters, as well spiritual as temporal, and head of the church, even of both Isles, England and Ireland."

Other acts of the same parliament, conferred on him the "first fruits of all bishoprics and secular promotions in the church, as well as of all abbeys, priories, colleges, and hospitals," suppressed thirteen monasteries, and vested their estates in the king, prohibited all appeals to Rome, all dispensations, pensions and faculties from Rome, obliged all officers to take the oath of supremacy, declared traitors all who refused it, and subjected to a *premunire* all who should acknowledge the Pope's supremacy. Finally, it passed another law against finding fault with the king for any of these innovations.

Dr. Cromer did what he could to prevent the effectual execution of these laws. He and the clergy opposed the removal of the images and relics out of the churches. He received a commission from the Pope to absolve those who had sworn to the king's supremacy, if within forty days they should confess their guilt and promise to preserve ever after the unity of the church, and resist all heretics and their attempts against the Catholic religion; and on the other hand to excommunicate all those who should in future take that oath, or not repent of it, if already taken. In vain did he execute this commission. Con O'Neil, who had taken up arms in defence of his religion, and against the imposition of such an oath, after invading the Pale, burning Navan and Atherdee, and reviewing his troops at Tara, was entirely defeated at Bellahoe, in Meath, by the deputy Lord Grey, after which the abbots, priors, &c., among whom were twenty-four, who were lords in parliament, *ex officio*, were forced to surrender their houses and properties to the king. The spirit of the Catholics was humbled, and a parliament held in Dublin, in 1541, by deputy St. Leger, changed the title of Henry from "Lord" to "King of Ireland." Cromer, however, though orthodox, had no part in the insurrection of O'Neil; he was even appointed arbitrator in place of the Brehon judges of his province, for enforcing certain regulations of domestic polity, ordained by edict of the privy council in 1541. For, in a commission given generally to the clergy in the other provinces, the Primate could not well be passed over; and though his zeal for the true religion, and his horror of schism, persevered constantly till his death in 1542, yet it is not impossible that old age, and perhaps despair, had somewhat diminished, in his few last years, the activity of this pious, learned, and excellent prelate.\*

—By a royal commission, the see of Armagh was valued in 1539, at £183 17s. 5½d.; in the 15th of James I., 1618, it was

\* Stewart conjectures, from this circumstance, that he submitted and took the oath of *allegiance*, and desisted from opposing the measures of the King—page 234.

valued at £400; by the return made by the present archbishop, the see lands are returned at 63,270 Irish acres, paying besides the fines, a rent of £15,080 15s. 6d. per annum, and also besides 16,000 Irish acres of glebe and chapter lands.

## ROBERT WAUCOP.

ROBERT WAUCOP, (alias Venantius,) was appointed to the see of Armagh, by Paul III., when informed of the death of Dr. Cromer in 1542. Waucop was by birth a Scotchman, and though he had been blind from his childhood, yet such were the natural powers of his mind, and such his persevering industry, that he distinguished himself highly during his collegiate studies in the university of Paris, and easily obtained the degree of doctor of divinity from that learned faculty. Pope Paul III. had confirmed the order of Jesuits in 1540, and selected Waucop, in 1541, to introduce that institute into Ireland. In consequence John Codure was first sent to this country, and after his death many others, among whom Paschasius, Broet, Frances Zapata, and the celebrated Alphonsus Salmeron \* who afterwards attended the council of Trent. Waucop was shortly afterwards appointed to the see of Armagh. It would appear however, that he never took possession of his see, which was already possessed by Dr. Dowdall, by the appointment of Henry VIII. His learning, piety, and prudence, recommended him to the confidence, and secured him the esteem of Paul III., and so highly did that discriminating Pontiff, as also his successor Julius III., appreciate his tact for business, that they sent him as their Legate a latere to the Emperor of

\* Burke, Hib. Dom. Suppl. 873. "Pater Nicolaus Orlandinus, e Societate Jesu memoriæ prodidit hac tempestate floruisse Robertum Ibæ Primis, virum insignem et super alias fulgentissimas virtutes eo admiratione dignum quod quamvis a puero fuerit oculis captus, nihil tamen minus claro mentis lumine hæresis furori obviam ire, laborantique insulæ subvenire curaverit, atque ejus rogatu nonnullos Patres e Soc. Jesu a Paulo III. Pont. Max. conservandæ defendendæ æque fidei causam in Iberniam missos fuisse; et omnium primum Joannes Codurium; hoc vero morte surrepto Alphonso Salmerum & Paschasium Broetum Apostolici legati potestatem habentes Francisco Zapato Apostolico Scriptore comitante anno 1541. Idibus Sept. Roma profectos & B. Ignatii Patriarchæ magistri sui documentis in eo munere obeundo instructos in Iberniam . . . multum operæ impendisse. *Post religiosorum vero reditum* Primatem ipsum qui Conc. Triden. interfuit, *suam provinciam petentem* Parisiis in Conventu Patrum Soc. 10th Nov. diem obiisse ea verba identidem proferentem "Domine si populo tuo sum opus, ego quidem laborem non recuso: sin minus, nequicquam moleste fero ex hujus laboriosissimæ vitæ præsidio & statione discedere divino tuo conspectu & æterna quiete recreandus:" Broet et Salmeron only are mentioned by Alegambe "Heroes et victimæ charitatis societatis Jesu, p. 3.

Germany, and to the court of France, which gave occasion to the saying "Legatus cœcus oculatis Germanis." He also attended on the part of the Pontiff, at the council of Trent,\* during the ten first sessions from 1545 to 1547. After the death of Paul III., his patron, and the consequent prorogation of the council, he started for Ireland,† and retired to France as Legate, where he died in a convent of the Jesuits at Paris, on the tenth of November, 1551‡—O'Sullivan§ in his Catholic history, tell us that he closed his career in a manner worthy of his uniform piety with the zeal of an apostle and the resignation of a saint. The last sentence he was heard to utter was—"O Lord, if my continuance here be necessary for the good of thy people, I shrink not from the useful task which thy will may allot me; but if it be not, I cheerfully yield up my station in this laborious life that my spirit may enjoy beatitude in thy presence."—

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### GEORGE DOWDALL

GEORGE DOWDALL was consecrated by Staples, Bishop of Meath, and other bishops, in the beginning of December 1543, governed the diocese of Armagh till 1551, when he fled from persecution, was recalled by Mary in 1554, and died on the 15th August, 1558. He was born of an ancient and respectable family, in the county Louth, and was selected by Primate Cromer as his official or vicar General.¶ During the vacancy that occurred after the death of that Prelate, (March 16, 1542) Edmond the dean of Armagh was custos, and Dowdall was sub-custos of the see, and in that capacity he held a convocation of the English Clergy in St. Peter's Church, Drogheda, in October, 1543.¶ He had however, at that time and for twelve months before, a promise from King Henry of being promoted to the primacy, and a pension\*\* was granted him of £20 per annum, from the 8th October, 1542, "till he should enjoy the bishopric of Armachan." The unwarrantable appointment was accordingly made;

\* See the signatures or names of Prelates at the council, by Fr. J. Quetif, in the edition, by Pépinguè, Paris 1675, where he is named thus—Rob. Vaucoph dictus & Venantius, Scotus Armach. & Hib. Primas electus 1541, obiit 1557. A. (i. e. Sessions of Paul III. only.)

† See the meeting between him, O'Neil, and J. de Montluck, about the treaty with the French King, in M'Geogh. 388, Melvin, &c.

‡ O'Sullivan, p. 79, Ware, Cox. See *Spondani* Contin Baronii ad Ann. 1546—Palavicini, L. 6. c. 5, L. 15, c. 13. . Pere Orleans, L. 3, p. 85.—Jus Prim Armac, p. 7, 19.

§ P. O'Sullivan, Tom. 2. Lib. 3. c. 8. f. 79.

¶ Ware. ¶ Regist Dowdall, p. 37, 38. \*\* Rot. Parl. 32 and 33, Henry VIII. Lodge's M.S.S.

it was the first attempt of an English king to appoint to that see, and the royal mandate was issued on the 28th November, 1543, directing Edmond Staples, &c., to perform the ceremony of his consecration which took place in a few days afterwards. Pope Paul III. absolutely refused to ratify the appointment, and conferred the see on Robert Waucop as we have seen just now. Dowdall however, governed the diocese, and could the impropriety of this first step admit of compensation, it would be found in the exemplary piety and unbending orthodoxy with which he accompanied the exercise of his ill acquired power. He was very assiduous in instructing his people,\* and resisting alternately the blandishments and threats of successive viceroys; he boldly placed himself at the head of his suffragans and clergy to maintain the faith first delivered to the saints. Edward VI., who succeeded his father on the 28th January, 1547, sent over to Ireland an edict dated February 6th, 1550, commanding that the liturgy or Common Prayer Book of the English church should be read in English in all the Irish churches. Sir Anthony St. Leger the viceroy, convoked the prelates, and notifying to them the king's command, demanded their assent. This Dowdall peremptorily refused, objected to the proposed innovation in strong and energetic language. A warm debate now commenced between him and the viceroy, supported by Browne, archbishop of Dublin, who, long before had declared himself openly an abettor of change. But so successfully did the Primate argue to maintain his opinion, that all the suffragans except Staples of Meath refused to obey the edict, and retired forthwith from the hall.

The English liturgy was however, read by Dr. Browne in Christ Church, Dublin, on the Easter Sunday following, and Sir James Crofts, a furious zealot, who succeeded St. Leger on the 29th April, 1551, availed himself of this and every other possible contrivance to induce Dowdall to conform to the change. He was not only inflexible in his former laudable resolve, but perceiving the machinations of the court party against religion, and lest he should scandalize the weak by appearing not to disapprove of the conduct of Browne and Staples, he refused to hold communion with them, and retired from the public councils to the abbey of St. Mary in Dublin, followed by the spiteful disappointment of the court and the enthusiastic benedictions of the nation. Now a storm began to gather which soon burst on the head of our intrepid prelate. The apostate bishops of Dublin and Meath were stung to the quick by Dowdall's refusal to hold any religious intercourse with them, and their vindictive indignation was enflamed as much by the public admiration and the unbounded esteem of the Primate's noble constancy, as by the universal execration in which their pliancy to the court and sycophantic desertion were held. The see of Armagh also held out a temptation to procure the deprivation or banishment of its present possessor.—The

\* Ware.



primacy of that see, if transferred to Dublin, would make Browne the first in dignity of the Irish Prelates, as he was already the first in wealth of revenue and courtly favour: the archiepiscopal throne and revenues of Armagh would be a great promotion to the bishop of Meath, to which Staples, from his standing and his activity in forwarding every innovation, proposed by the infant head of the infant church, might very naturally aspire. In these circumstances Sir James Crofts, who had been chosen deputy, for the express purpose of effecting by all kind of means the change of religion, and who knew, or at least had heard, that Browne had procured the dismissal of St. Leger, by accusing him of polemical inactivity, gave the bishop of Meath a letter for the Primate, reminding him of the obedience he owed to the crown, expressing a desire of restoring the communion with his brethren, and proposing a place of conference for this purpose, and also for quietly accepting the late changes of what was called discipline, adding that this was "the only way of preventing some new and still more violent orders of regulation from the throne." The meaning of this epistle was intelligible enough; the threat with which it ended was still more so, and it was no obscure commentary on both, that Staples, the only suffragan who had yet deserted and who had so violently opposed the Primate, was the person from whose hands he received it. He was called upon to retract his former opposition, to renounce his faith, or to await "the more violent orders." It is probable that he dreaded the treachery that in those days often awaited an enemy at the castle, and foresaw that his refusal to enter into conference would be construed into obstinacy or defeat. He therefore replied to the deputy, that he had too much reason to fear the inutility of conferring or reasoning with churchmen, obstinately determined on pleasing the court, that he could scarcely hope for an adjustment of the important and essential differences of creed which caused his separation from these prelates, that however, he would accept the friendly proposal of the Deputy, and would rejoice to meet him, but as he had betaken himself to retirement, it would not be, he thought, becoming to appear at his lordship's palace. Such an answer was probably not expected. Certain it is, that those were greatly disappointed, who hoped that Dowdall would fly from the threatened violence, or decline a conference, the result of which, was already decided by a royal edict, to which one of the parties was pledged to adhere, and which was to be enforced if not by the reasoning of its patrons, at least by the penal powers of the crown. At all events the conference could not now be refused by those who proposed it. The day was come when Staples might prove himself worthy of the Primate's throne. The theological disputation was held in the great hall of St. Mary's Abbey: Dowdall defended the Mass, Staples the Book of Common Prayer. On whichever side lay the kingdom of God, the kingdom of this world was in favor of Staples. After much argumentation both parties separated without

coming to any agreement; Dowdall continued to oppose the English liturgy, and his friends who witnessed the conference claimed for him a decisive victory. Staples claimed it too, as generally happens; but few, if any, historians of his party recognize his claim. They are content with censuring this "ostentatious method of decision, the usual result of which is that each party claims the victory." They give not even a caricature of the arguments, as is their custom on such occasions; and in relating the disposal of the see of Armagh none of them complains that Staples' merits were not required.

The plan had now ended in the disappointment of its framers. The Primate's reputation and popularity were increased by the result; the odium against his opponents was not diminished. Their arguments were expended and not a convert made; their threats shook not Dowdall's constancy; there remained but one resource: the "*ultima ratio regum*." They began by depriving him of the primacy, which by letters patent, of the 20th October, 1551, they conferred with all its powers and privileges on Archbishop Browne and his successors for ever. "By reason, says H. Ware, that George Dowdall was obstinate and perverse, and that George Browne was the first of the Irish Bishops who embraced the Order for establishing the English liturgy and reformation in Ireland." What other punishments were inflicted and designed for Dowdall we are not told; some writers say that he was banished, others say that he anticipated, or was designedly given to understand that still more violent severities were prepared for him, and thought it better to escape by flying to the continent. No sooner was he gone than the king was told that the see of Armagh was vacant; and notwithstanding the bishop of Meath's officious zeal, Hugh Goodacre was appointed the first Protestant bishop of Armagh, on 28th October, 1552. His consecration took place according to the new ritual of Edward VI., on the 2nd February, and his death on the 1st May, following—Edward himself died on the 6th July, 1553, and was succeeded by his eldest sister Mary.

On the application of Cardinal Pole, the Pope's legate, the new queen recalled our Prelate from exile, towards the end of 1553, and on the 12th March, 1554, restored to him his see with the ancient title of "Primate of all Ireland," belonging thereto. The patent, given to the archbishop of Dublin, was voluntarily surrendered to Mary and by her cancelled. He immediately applied himself to repair the ravages that had been made on his fold during his absence. He convoked and held a provincial synod at Drogheda, where many useful laws and regulations were enacted for the re-establishment of morals and discipline; and the clergy, who during the last reign had taken to themselves wives or concubines, were deprived of their benefices and suspended from all ecclesiastical functions.\* A similar

\* See the Acts of this Synod published for the first time in *Cambrensis Eversus* vol. 11. p. 780. Dublin, 1850.

purgation was unfortunately required on the episcopal bench, and a commission was given to the Primate and other bishops to deprive these also of their dignity and jurisdiction. In consequence of which, Bale of Ossory and Casey of Limerick, both Protestants, fled from the country; the two apostates Brown of Dublin and Staples of Meath, and the two Protestants appointed Bishops, viz.: Lancaster of Kildare and Travers of Leighlin were deprived of their sees, for having taken wives and remaining impenitent. (The new Bishops appointed to their sees took the oath of allegiance to the Queen, though she still retained the title of Head of the Church.) The Lord Deputy, Sussex convened a parliament on the 1st June, 1556, in which the King of England's supremacy was abrogated with much greater sincerity than it was before established; the communion with the Pope was again sought for and through the Legate obtained, the supremacy recognized; the grants of the property of the church made by Archbishop Brown to his own private use or to that of "his bastards," (for so all his children are called) were declared null, and the church property, seized by the crown, was restored. But, much as the Catholics suffered during the two last reigns, they thought not of retorting persecution on its authors, and the Protestants who fled from England found a secure asylum here. Dowdall, who had now considerable influence in the government of the country, lived to see these principles triumph, for which he suffered; he saw the seeds of true faith and christian piety, planted by his episcopal labors, growing up into a rich and abundant harvest; and providence spared him the mortification of seeing the crop destroyed by the political elements that, shortly after his death, checked their growth and threatened their total ruin. He held another synod of his province at Drogheda, in 1557, and died in 1558, on the Feast of the Assumption, in England,\* just three months before the accession of Elizabeth to the English throne. Terence, the dean of Armagh, was appointed guardian of the spiritualities of the see, and in virtue of this office held a diocesan synod of the English clergy of the diocese, on 3rd July, 1559.

[In Shirley's Original letters, p. 38, there is one from Dowdall, stating that in the commencement of the year 1549-50, he had met Con O'Neil at Armagh, and principally through his influence, obtained the obedience of the clergy, as unqualified as he had ever received it. From O'Neil he also received, though not without difficulty, letters of the King of France, and of George Pars, which he forwarded to Alen, and the council of Ireland. The common belief he states was, that an army of Frenchmen were to land from Scotland in Ireland, in the beginning of the following summer, and two castles in O'Dogherty's country had already been supplied with ordnance to

\* See M'Geoghegan, Tom. 2. p. 32. The Biographer of the Very Rev. Thady O'Brien, says he died August 16th, 1558.

farm that descent. The blind bishop, Venantius, (Robert Waucop,) was waiting for that army at Derry, and is described as a dangerous character, well skilled in exciting war and sedition, as the Earl and countess of Tyrone knew from experience. The Earl however, had solemnly sworn in presence of several prelates, that he would be true to his prince, and if Dowdall could succeed, similar assurances should soon be received from O'Donnel. Great influence however was not necessary, it appears; for O'Donnel, in a letter to the Lord deputy and council, (1550,) in reply to their interrogations, informs them that the blind Scotch bishop was indeed now in Derry, whither he had come after visiting several other places; but, that if they wished him to be banished from Ireland, their orders should be executed.]

### RICHARD CREAGH.

RICHARD CREAGH OF Crewe (Crevagh, and in Irish O'Mulchreibe) next succeeded to the archbishopric of Armagh. He was the son of Nicholas Creagh,\* an extensive and very respectable merchant in Limerick, and was in youth destined by his parent for the same profession. In his native city he received a classical education suited to his condition in life. As he advanced in years he was taught, besides the Latin and Greek, languages at that time generally known by youths of much inferior condition, also the Spanish and some of the other continental languages, with the view of qualifying him the better to correspond and manage the concerns of trade with foreign merchants. His religious education also was not neglected by his virtuous parents; and, as he grew up to maturity, the good morals and piety of the young man fully corresponded with the parental attention bestowed on the child. This is strikingly confirmed by the incident that gave occasion to his change of profession.†—On one occasion he was sent to dispose of a cargo of goods in the Spanish markets, and after he had completed the sale he purchased and shipped a stock of Spanish merchandize for the market of Limerick. All things were now ready to sail, and after some delay a favourable wind blowing up in the morning, the seamen and passengers were all hurry and bustle hastening on board. The sails were hoisted, and the vessel was moving out of port, but Creagh was not on board. He had gone in the morning to perform his accustomed devotions at one of the churches of the city, and to supplicate, through the holy sacrifice of the mass, the mercy of a crucified God, and the blessing of his Almighty providence on his voyage. Hastening back with

\* Ferrar Hist. of Limerick, p. 356.  
2. L. c. 10. fol. 89. 90.

† O'Sullivan Hist. Cath. Tom.

speed to the shore, to meet his companions whom he had in vain invited to accompany him to the church, he saw them already sailing. He called and signalled, but before they heard him or were aware of his absence a "sudden gust of wind" surprised the panick stricken seamen and buried the ship, with her cargo and all her crew, in the deep. So striking a manifestation of divine providence in his behalf could not but make a deep impression on the religious mind of our young merchant. He returned to the church to pour forth his soul in thanksgiving for his delivery, and soon resolved to devote, exclusively to the glory of God, that new and second life which he now received by so special a providence.\*

From Spain he repaired directly to the university of Louvaine,† where he applied himself with great assiduity to the collegiate course of ecclesiastical studies and to the cultivation of apostolical virtue. Here he received priest's orders‡ and became highly distinguished for a knowledge of the sacred Scriptures, ecclesiastical history and polemical theology. His uncommon piety, his zeal for religion, his contempt of life and readiness to suffer martyrdom, pointed him out as a proper person to be appointed a bishop in a country where to say mass was a crime, and he was accordingly appointed by the Pope to the see of Armagh then vacant.

Dr. Creagh was consecrated at Rome§ on the 17th March, and shortly after set out on his journey to take charge of his diocese. The primacy of all Ireland was now, at least, in a temporal point of view, a situation not of wealth and ease but of poverty and hardship, not of dignity but of the most eminent danger. Queen Elizabeth, in the parliament held at Dublin, in 1560, had reversed all the enactments of her sister Mary in favour of the Catholic religion: abolished by law the supremacy of the Pope, and annexed all spiritual and ecclesiastical jurisdiction to the crown. The oath of supremacy, acknowledging the Queen as head of the church, and renouncing all foreign jurisdiction, was exacted from all ecclesiastics, officers and ministers. To maintain the Pope's supremacy was punished, for the first offence, by forfeiture of office; for the second, by premunire; and for the third, by the penalties of high treason. The English liturgy was ordered to be used in all cathedral and parish churches, under penalty of six months' imprisonment for the first offence; of imprisonment for a year and deprivation for the second; and of imprisonment for life for the third. These laws, however, were not and could not be enforced: the enactments of 1560 were not the act of the Irish church or people.¶

Of these iniquitous laws Dr. Creagh experienced the full effect. It

\* O'Sullivan, Tom. 2. L. 4. c. 10. f. 90.  
p. 25. Jus Prim. Armac. c. 27.

† Ware's writers, L. i. c. 12.

‡ M'Geoghegan Hist. D'Irlande. T. 3. p. 466-7.

§ M'Geoghegan Hist. D'Irlande. T. 3. p. 466-467. ¶ Rambler, January and February, 1853, p. 29, 190.

is perhaps to the time of his arrival in London, when a prisoner there, in 1565, that we should refer the statement made by Sanders, a contemporary Catholic, and which Mason, a contemporary Protestant, does not venture to contradict. When the Protestant Bishops, appointed by Elizabeth to succeed the ejected Catholic Prelates, could procure no Catholic Bishop in England to perform the ceremony of their consecration, and the comic scene at the Nag's head tavern had occurred, Archbishop Creagh was confined a prisoner in London. "In this necessity they applied to him, and pressed him most earnestly to preside at a consecration, promising him his liberty and rewards if he would assist them in their present distress. But the virtuous Prelate could not be induced, by entreaties or offers, to lay his sacred hands upon them or to concur in their sin."\* In his diocese, on his second return to Ireland, after his escape from the tower of London, he laboured with extraordinary zeal to instruct his people, to uphold morality among the strifes and contentions that then agitated the country, and to preserve the ancient faith spite of all penalties and the allurements to apostacy. Among these seductions, however, are not to be reckoned the zeal or episcopal activity of the youth, obtruded into his see by Elizabeth. Adam Loftus, at the age of 28,† had other cares to attend besides the care of souls—His time was spent in Dublin; his cares on the enjoyment of the pleasures and honors of the world. He was a man, say his Protestant biographers, of the most "insatiate avarice and unbounded ambition, who sought to monopolize every church preferment that became vacant for himself and his family."‡ If the dying declaration§ of the Lord deputy Perrot is to be credited, regarding the calumnies and perjuries of this prelate, it is no wonder that the contrast between the two Primates should have tended to confirm the Catholics in their faith, and heightened their veneration for the pious and disinterested zeal of Dr. Creagh. His zeal, however, was too efficacious; the influence of his piety too extensive not to render him an object of jealousy and vengeance to a Government that was determined on the extirpation of Catholicity.|| Spies were accordingly set upon him; he was apprehended for some of those acts of episcopal jurisdiction which the new laws had prohibited, and was committed to a loathsome prison in the castle of Dublin. "After suffering much in prison, says an English writer¶ about that time, he was brought to

\* Sanders Hist. of Engl. Reform. L. 3. p. 326. Edition, Dublin, 1827. M'Geoghegan. Tom. 3. 467.

† Harris', Ware's (Bishops).

‡ Stuart's Hist. of Armagh, p. 248.

§ See Life of Sir John Perrot, versus finem.

|| Creagh was in London, on his first return from Rome, in October, 1564, and was again in London, a prisoner, in February, 1565, after his first capture in Ireland, (see sketch of his life in Rambler, May, 1553, p. 366, compiled principally from his own evidence.)

¶ The Theatre of the Cath. and Protest. Religion, Lib. xi. c. 3. p. 576-7. printed in 1620.

his trial in the King's bench before Sir John Plunket, then chief justice of that court, and being there arraigned of high treason, and enforced to abide a jury of gentlemen of the *Pale*, he was found guiltless; but they for acquitting of him, were all committed to the said castle, and put to great fines. When they could get no way by law to make him away, or that his constancy (in religion) could not be infringed, he was sent over to the tower of London," out of which he never escaped a second time. During his last residence in Ireland, banished from his archiepiscopal residence, obliged to seek shelter from place to place, and exposed at every moment to be apprehended again, or murdered by the English armies, that were perpetually traversing his diocese during the wars of the Ulster princes, the undaunted Prelate visited every part of his extensive diocese, confirming some, reforming and reconciling others, and instructing and animating all to perseverance. His suffragans, his clergy, his people, all conformed to the instructions of their venerated Primate. When Elizabeth issued a conge d'elire for the election of Adam Lofthouse, the chapter of Armagh dispersed themselves through the country, and the dean could not find a sufficient number to comply with the injunction.\* Nay, to the very end of his life, and for years afterwards, there could not be found in (except a few of the large towns,) more than ten or fifteen places through the entire province of Ulster, either persons to attend, or a minister of any kind to perform the protestant service.† The consequence was the churches fell into decay, and the parsons in after times called for parliament aid to repair them. When Elizabeth issued a commission to enquire into the ecclesiastical state of Ireland, in 1576, there could scarcely be found a church or an officiating clergyman.‡ The Catholic Priests were ejected from their churches, many of them preferred to say mass for their people in private places to exposing themselves to imprisonment or death; on the other hand, very few Irishmen abandoned their religion, and the inferior benefices were not sufficiently tempting for the English apostates. Such success could not but soon attract the notice, and draw down upon our Prelate, the vengeance of a government, that made it high treason to profess the religious tenets which they themselves a few years before, as well as the rest of Christendom, professed. In the tower of London, 1567, he was bound in fetters, and made to endure all the aggravated horrors that can be added to incarceration. There he was solicited to exchange these sufferings for royal favor, and the accumulated bounties of the queen, by merely acknowledging her spiritual supremacy. O'Sullivan, Prince of Bearre,\* Daniel O'Daly,† and Dr. Rooth,‡ Bishop of Ossory, all of whom wrote very shortly after this period, inform us that this

\* Ware's Annals—Stuart's Armagh, p. 248-253.

† Hooker.

‡ Ibid.

plan failing, his shameless enemies suborned the daughter of his gaoler to accuse the aged Bishop of having violated her person. The time appointed for the trial came on, the courtiers lectured the young girl, they flattered her, and fortified her resolutions by splendid promises, and to render the Prelate's infamy still more public, they procured a large assemblage in the court of the nobility and gentry, especially of those from Ireland, that were then in London. His prosecutrix comes forward to accuse him, but when about to identify the criminal, she fixed her eyes on the venerable countenance of the innocent and devoted Prelate, she was suddenly struck with remorse and horror of her murderous design. She became pale and confused, forgot almost her previous plan, and seemed to lose all consciousness. At length recovering, when interrogated about the charge, she swears that the prisoner, so far from having dishonored her person, had never even touched the hem of her garment, nor so much as by a single look tempted her to sin, and that she believed him to be a most innocent and holy man. Thus was the archbishop's character vindicated, and his innocence triumphantly proved; but the malice of his enemies was not appeased. He was remanded to the tower to remain there a prisoner for life, where, after suffering the hardships of a tedious incarceration, Dr. Rooth tells us, he was at length put to death by poison on the 14th of October, 1585. While in prison he applied to Gregory XIII. for the means of educating candidates for the priesthood; and although the Pope's treasury was nearly exhausted by other charges, he obtained a subsidy worthy of the magnificence of that Pope. §

Amid all his labours and perils, Dr. Creagh employed whatever leisure moments he could procure in composing several useful works, which he published only in Manuscript, and which bear testimony to his piety, his literature, his patriotism. The principal of these are : 1. The lives of the Irish saints. 2. The history of the church; a part of which Ware says, was in his time in the possession of Thomas Arthur, M. D., Limerick. 3. A treatise on the Irish language. 4. An Irish catechism. 5. A treatise on the controversies of faith. 6. A chronicle of Ireland, &c. &c. ||—Almost all his writings were in Latin.

[A life of Primate Creagh, by writer of this note, compiled from the same authorities, as the preceding, and from documents first published by E. Shirley, Esq., was inserted in the Rambler, May, 1853,

\* Hist. Cath. Tom. 2. L. 4. c. 10. † Relatio persecut. Hiber. Ulyssipone 1655. p. 162.—cited by De Burgo in Hib. Domin. p. 601.

‡ Analecta sacra De Processu Martyriali, p. 40-47.

§ Ferrar's Hist. of Limerick, p. 356.—Fleury Hist. de'Eglise. Tom. 35. L. 175. n. 3. Spondani Annal A.D. 1578-9.

|| Ware's writers, L. i. p. 25. M'Geoghegan, ubi supra. Ferrar's Limerick, p. 356. Nicholson's Irish library, p. 65, 85, 184.



p. 366. The Shirley documents are principally answers of the Primate to the interrogations of Sir William Cecil, of which the following is a summary :

I. At the first examination, February, 22, 1564-5, after his first capture, he states that no Lord or Englishman knew from him his intention of going to Rome ; that he went under religious obedience, intending as he was of weak constitution to enter the order of Theatines, at Montecavallo; that he was ordered by the Cardinal to await the orders of the Pope, and was by him sent back to Ireland.

II. He knew several English and Irishmen at Rome : Sackville the Earl of Derby's son ; Thomas Goldwell the deprived bishop of St. Asaph ; the master, and several inmates of the English hospital ; a man of the Earl of Leicester, Edmond, an Irishman, whom he supported at his own table for some time ; several scholars, especially Moriartagh, and Donagh O'Brien, and a priest from O'Neil's country who was sent over to obtain the bishopric of Down for O'Neil's brother, and the Jus patronatus of some benefices. He was not so well acquainted with this priest, as with the other Irishmen ; he was exposed to danger for some kindness to Sackville, (then a prisoner in Rome,) and was accused by some of having shown favor to Englishmen. He lived at the Pope's expense in Rome, because he had been sent there in obedience to his commands, for he was bound to obey the Pope, by the oath which he took when he was received into the common school at Louvain.

III. No English or Irish knew the cause of his returning to Ireland but an English Jesuit in the university of Dillingen, near Augsburg, and two Franciscan Friars at Antwerp : one English, the other Irish ; an English Jesuit at the same place. Others also knew it : the Irish scholars at Louvain ; the doctors of that university, to whom he gave a banquet in memory of old acquaintance ; and the cardinal of Augsburg who kept him for a fortnight, to recover from an ague, and the fatigues of his journey from Rome.

IV. No person in England or Wales knew his dignity, not even the scholar whom he took for his man at Rochester : two poor men and a woman saw the outside of his letters, but did not know what they were : When asked about his profession he answered what was true, —that he had been a merchant.

He did not wish to be sent to Armagh, among "barbarous, wild, and uncivil folks," where he had no acquaintance among the clergy : he had merely seen some of the Ulster Prelates, in the English pale, in Queen Mary's time. The Pope had given him a letter to Shane O'Neil, and a pension for O'Neil's brother, on the see of Down, which the Ulster priest had applied for : but though he intended to go direct to Armagh, did not know whether Shane would receive him, because the Dean of Armagh, Shane's foster brother, had applied to Rome, and to Cardinal Morone at Trent, for that see. Moreover, he had offended, by not obtaining the see of Down for Shane's brother, a mea-

sure he could not propose, as the young man was only twenty three years old, and not learned. If Shane received him, he would establish scholars, and civilize the wild Irish, and teach them their duty to God, and their prince : he suggests a university, but implies that it could not be established at that time, without the aid and authority of the prince : such was his sole intended intercourse with the Irish until a new generation should rise, free from the crimes of murder, adultery, robbery, &c., which were then, he supposes, common among them. He was no enemy to the English crown ; from his youth he had served that crown as in nature and duty he was bound ; he had lost his share, nine thousand ducats, in a ship taken by the French galleys, in the reign of Henry VIII. ; and the searcher at Dover had taken £32 from his brother, who was bringing them over for his expenses at Louvain. Finally, as he had accepted the charge of archbishop unwillingly, perhaps he might be glad to be relieved of it : but then if he were dead to-morrow, the Ulster men would know it, and obtain the appointment of some countryman of their own, who might not be as well disposed as he was, to his natural Queen, and the crown of England.

Strange though these sentiments may appear, they were common among the Catholic Anglo-Irish of the Pale, and of the principal towns, during the whole reign of the cruel Elizabeth. They show at one glance the facilities which the government had for establishing the Anglican Church, on the necks of the two hostile nations, the Irish, and the Anglo-Irish.

The primate was again examined before the Recorder of London, on St. Patrick's Day, March 17, 1564-5. He states that by order of David Wolf, the Pope's nuncio, then residing in Limerick, he had left Ireland for Rome, in August, 1562 ; for as bachelor of Divinity of Louvain, he was sworn to obey the Pope ; that he was to be appointed to Armagh or Cashel, though his own wish was to enter religion. He had letters for the superior of the Jesuits, and for Cardinal Morone ; but before his arrival in Rome, in January, 1563, that Cardinal had gone to the council of Trent, and Cardinal Gonzaga, who filled his place, ordered him in February, not to enter religion. His expenses to Rome had been defrayed by himself, with some assistance from the nuncio, and the bishop of Limerick. He was commanded by the Pope to accept the archbishopric of Armagh, and was consecrated about Easter, 1564, in the Pope's chapel. His maintenance by the Pope at Rome was suitable to his rank, having four or five servants waiting on him, and apparel of three sorts of blue, and unlettered chamlet. In July, 1564, he started from Rome with the Pope's blessing, and was told there, by Cardinal Morone, that Elizabeth would probably become a Catholic. He rode on horseback from Rome to Augsburg, attended by an Ulster student. At the banquet in Louvain, he appeared for the first time in his archbishop's apparel. Sailing for Ireland, in an Irish ship, he was driven by con-

trary winds to Dover, and proceeding thence to Rochester, found an Irish boy begging, (a poor scholar,) whom he brought with him to London. He lodged there in October, 1564, in Broad-street, for three days; visited St. Paul's church, and Westminster church, (to see the monuments,) and Westminster Hall, but had no talk with any man. Had heard it said that a Frenchman of the Pope's palace reported there a French invasion of England, which Goldwell doubted to be true, and which was found on inquiry to be untrue.

The questions in this examination were intended to elicit further information, and to test the truth of what had been already given.

A third time the primate was examined, March, 23, 1565. He had asked leave of the Pope to enter a religious house, if he was not received by the chapter of Armagh, which, in that event, would probably be granted. Several others he said had been sent over with him from Ireland, especially William Moriartagh or Morgan, Brian Tadgh Richiblican, Domigh Rickard, Craen Diarmuid Mady, Richard Arthur, Morris Derby; some of whom were men of respectable acquirements, and many others from different parts of Ireland. Of these, three or four were supported with suitable retinue by the Pope, as were also the three Irish bishops, then at the council of Trent. The primate had supported some poor scholars at his own expense. "What I have learned at the Emperor Charles, and other good men's charges and costs, I have testified it to my poor power, for the profit and wealth of the Queen's majesties subjects, old and young, and thanks be now unto Almighty God, and to her gracious highness, for my reward (besides divers my poor bodies' sickness,) that I can neither day nor night, change apparel, having neither of myself, nor of any other body, one penny to cause the broken shirt that is on my back to be once washed, whose incommodity, honesty, (decency,) will not have it to be declared, beside the misery of cold, and such others, without even a convenient hose. If it were (her) gracious and merciful pleasure, to suffer me to go teach youth, in the arts, and some books of manners. I should do it for nought, as hitherto I have done, neither asking or receiving a penny of the church, or ecclesiastical benefices during my life, which I pray, (for the good Lord's sake,) that some merciful heart move or speak unto her merciful majesty, whom the Almighty Lord preserve now and for ever." —Sentiments penned in the confiding loyalty of the palesman of that day.

After five weeks in prison, he escaped at Easter, from the Tower of London, sailed to the Low countries, whence he afterwards proceeded to Spain. He thence wrote to Lord Robert Leicester, through the Spanish ambassador at London, offering "to give to Cæsar his own, and to God his own," should the Pope order him to return to Ireland. What answer, if any was given, does not appear. But he returned to Ireland, and in August, 1566, had an interview accompanied by Myler M'Grath, lately appointed by the Pope, bishop of

Down, with Shane O'Neil, in Inish-Darell, near Clondarell, in the county of Armagh. He presented the Pope's letters, and received promise of protection from Shane, who was then planning an attack on Carrickfergus, and requested the primate to warn the friars of that place. He preached on the following Sunday, in the cathedral of Armagh, before Shane, Turlough Leynagh, another powerful O'Neil, and Hugh O'Donnell, of Tyrconnell, and had other interviews with Shane, who in the confidence of his power, promised, when burying his brother at Armagh, that "he should hold his church as honorably as any archbishop ever had." This promise, however, he was not able to fulfil, for he ruined that cathedral a few months later, to prevent the English from converting it into a fortress. On Christmas Day, 1566, the primate wrote from Armagh, to Sir Henry Sydney, lamenting the destruction of the cathedral, which he had opposed with all his power, and begged to be allowed to negotiate a peace with O'Neil, or in any event to have the old service in the churches, to save them from a similar fate. His proposals were rejected with savage scorn; extirpation by war was given forth as the only means of curbing the insolence of O'Neil, and of reforming Ulster. To add to the primate's difficulties, Myler M'Grath, bishop of Down, sowed disunion between him and O'Neil, forged a letter to disgrace him with the Pope, and crowned his dishonesty by apostatising and surrendering his bulls at Drogheda, May 31st, 1567. (Shirley, p. 306.) The primate was taken treacherously in Connaught, on the 8th of May, 1567, (or April 30,) by O'Shaugnessy, who received a special letter of thanks from Elizabeth, for his services. By order of that queen, July 22, 1567, he was tried in Dublin, but not convicted, and after a short imprisonment, escaped once more from the castle of Dublin. A proclamation was issued with a reward of £40 for his apprehension. He had already been included in a proclamation against O'Neil, signed by the lords and gentlemen of the Pale, in which he was described as a renegade traitor, lately come from Rome, as Archbishop of Armagh, (Ulster Journal, No. 20, p. 265) for though these men were nearly all Catholics, as the commission for causes ecclesiastical proved, many had portions of the confiscated church property, and moreover, they could not forgive any co-operation with their mortal enemy O'Neil. The primate was taken by the retainers of Gerald, Earl of Kildare, under the command of Myler Hussey, who, however, could not discover him, until he had sworn and pledged the Earl's honour, that his life should be spared. On the 22nd of December, 1567, Hussey petitioned the Lords of the Privy Council to that effect, urging that if faith were not kept, there was an end to all confidence in "petitioners oath and credit." Before the end of the year, the primate was once more in the hands of Cecil: (Shirley, p. 324, 326.) but whether to save the honor of his captors, or for some other more potent motive, his life was spared, until 1585, when he was poisoned in the tower of London, after an imprisonment of 18 years.]

## EDWARD M'GAUVVRAN.

EDWARD M'GAUVVRAN was the immediate successor of primate Creagh. In the year 1594, Pope Clement VIII. employed this prelate as his envoy to the Irish nation, with the view of animating them to persevere steadfastly in the faith, and rather than deny their consciences and their God, to shed the last drop of their blood in defence of their religion. The recent edict of Elizabeth, against the priests and the catholics, was the last of the many causes that alarmed the holy Pontiff's zeal and rendered such an exhortation necessary. Not content with ejecting the bishops and priests from their dwellings, and hunting them into the woods, nor with punishing by fines and confiscation, both priests and people, for not attending the Protestant worship, nor with punishing, as high treason, every acknowledgment of the Pope's spiritual authority, this unrelenting persecutrix published a new edict, on the 18th October, 1591, in which, after exhausting a copious fund of calumny and invective against the clergy, she commands all the heads of families to seek out and discover the priests whom she calls Jesuists and Seminarists, epithets which she intended as opprobrious, and to deliver them over to her officers under a strong guard. To make the proclamation more effective, she commanded all householders to examine all strangers that visit their houses, and to preserve their answers in writing for the inspection of her commissioners; she commanded these commissioners to punish the householders who shall be negligent or indulgent in executing her orders for priest-catching; but should any be found to entertain or lodge these houseless ambassadors of Christ, she strictly commands these commissioners not to pay any attention to the condition, age, or sex of the delinquent, but punish all such persons, whether peers or peasants, with all the penalties which the law inflicts on the accomplices and abettors of treason and rebellion.

The Irish princes had frequently implored, during the last fifty years, the advice of the Roman Pontiff, and his interposition either personally, or through the French and Spanish monarchs, with the court of England in their behalf; when their remonstrances failed of success, the Irish then asked for military assistance. Thus did foreign powers become acquainted with the discontented condition of Ireland. "The stranger had heard her lament on his plains;" the crowds of exiles successively migrating to the continent, and the caravans of ecclesiastical pilgrims travelling to the shrines of Catholic science from a country where science lay so long enshrined, confirmed the impression. In these circumstances Philip II. of Spain, incensed against England for some depredations committed on his European and American dominions, and waging against her an unsuccessful war for the last five years, promised at length to send an effective military aid to the Irish, and commissioned Primate M'Gauvran

to give the Irish princes the most positive assurances of its speedy arrival.

Dr. M'Gauvran, setting sail from Spain in the vessel of James Fleming, a merchant of Drogheda,\* arrived in Ireland, in the beginning of 1594, with these two commissions. He lost no time in visiting the different princes of Ulster; he communicated to them his commissions, and then took up his residence with Maguire, prince of Fermanagh, on the confines of his diocese. M'Guire, before his arrival, had been in arms against England, and when the Lord deputy Sussex called on him to deliver up the primate, he peremptorily refused. Shortly after he directed his forces against the English possessions in Connaught, and brought the bishop with him. Sir H. Bingham, the governor of that province, dispatched Sir William Guelfort with a body of troops to oppose him. The two armies met at a place called Sciath na Feart (the shield of wonders): the cavalry of both were before the foot, and there being a very thick mist, they saw not each other till they met. The signal was given, and a brisk and determined action having been commenced by the cavalry, M'Guire, after much fighting, fixed his eye on the opposite general, and setting spurs to his horse and cutting a passage for himself through the surrounding officers with his sword, he pierced Guelfort through with his lance. The English astonished at this daring bravery and seeing their commander slain, fled from the field. The primate was at a short distance from the engagement administering the last sacraments, and hearing the confessions of some of the mortally wounded soldiers.† A party of the fugitive cavalry happened to come on him while thus engaged, and transpierced with their lances the unarmed and inoffensive archbishop: being roused to indignation by seeing him engaged in the vocation of a Catholic clergyman.‡ Some writers refer this event to the year 1594,§ others to the year 1598,|| while others¶ again say that the English were victorious on this occasion, though they acknowledge that Guelfort was slain in the manner just related. This discrepancy appears to arise from confounding the above engage-

\* O'Sullivan, Tom. 3. L. 2. c. 6. fol. 127.

† O'Sullivan, *ubi supra*, however says he rode between the horse and foot, attended by Felim M'Caffry and Cathal Maguire, that a body of the enemy's horse coming in that direction, he fled towards the infantry, but was tumbled from his horse, and unarmed was slain together with Felim fighting. The infantry hearing the primate's cry run to his assistance, and in the darkness of the mist, kill Cathal fighting with his drawn sword in the primate's defence.

‡ De Burgo. Hiber. Dom. p. 602. *Analecta Sacra*. pars 3. in exordio. Lombardi compend, p. 345.

§ Pet. Lombard, p. 355. O'Sullivan Hist. Cath. Tom. 3. L. 2. c. 6. Ware's Annals, M'Geoghegan, 3, 498. Jus prim. n. 27. Stuart's Armagh, p. 270.

|| Dr. Ruth, p. 3. in Exord. Theatre of Cath. and Protest. religion, p. 575. Hib. Dom. p. 602.

¶ Ware, Cox, Camden, Stuart.

ment with another very similar in many circumstances that occurred in 1598. M'Guire, then general of O'Neil's cavalry in Munster, rode out one morning accompanied only by Edward M'Caffry, an ensign, Neil O'Durnin, and a priest; they were unexpectedly overtaken by Sir Warham St. Leger with about 60 cavalry. The priest and the two others fell an easy prey, but M'Guire, although overwhelmed by the unequal numbers, and mortally wounded by a bullet, cut his way to St. Leger, and thrust his lance through his helmet and head, and then opening a passage through the enemy with his sword, he escaped to the camp where he died.\* The similarity easily led to the confusion of the dates, and to other errors.—The account given above, is supported in all its details by many and in all but the date by all, contemporary writers, except Camden.

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### PETER LOMBARD.

AFTER the death of Dr. M'Gauvran, the Pope promoted Dr. Peter Lombard to the primatial chair of Armagh. Dr. Lombard was descended of a very ancient and respectable family in Waterford, which, for several centuries before his birth, had given a greater number of lord mayors to that city than any other family whatever.† The law which prescribed that the oath of supremacy should be taken by corporate officers, was for many years publicly evaded in Waterford, and hence, after 1600, we find some of his immediate relatives invested with the mayoralty.‡ But as soon as Lord Mountjoy enforced the odious sectarian oath, the name of Lombard disappeared from the catalogue of public functionaries.§ The family, however, was amply compensated for the loss of ephemeral authority by the literary fame and ecclesiastical dignity of some of its members. Another Peter Lombard, who studied under Dean White commonly-called the lucky school master of Munster, established for himself a high reputation for ecclesiastical literature and poetry, and became the author of several works. The celebrated Luke Wadding was also of this family, being the son of Walter Wadding and Anastasia Lombard, the ("consanguinea") cousin of the archbishop.|| Dr. Lombard's father was a wealthy merchant who spared no expense in procuring for his son the advantages of a liberal and highly cultivated education. After he had completed his elementary studies in his native city, he was sent to Westminster College, where he studied many years under the famous historian Camden. The English Varro took pride, it appears, in the splendid talents and rapid proficiency of his pupil; for he makes special mention of the boy in his writings, styles him "a youth

\* M'Geoghegan, 3, 543. Ware's Annals.

† Ibidem.

§ Smith, ubi supra—

† See Smith's Hist. of Waterford.

|| Smith, ubi supra—

of admirable docility,"\* and shews clearly that he laboured much to dissuade him from the faith of his forefathers. He even boasts that he had actually converted him, but this is not the only instance in which bigotry or prejudice led that clever scholar into mistake. Whether these polemical disquisitions of Camden hastened Lombard's departure from Westminster or increased his passion for theological science, we are not informed. But certain it is that he exchanged Westminster school for the university of Oxford,† where there were then many of his countrymen, and very shortly after, about 1573 or 1574, spite of the barbarous laws to the contrary then lately enacted, travelled to the university of Louvain, and there finishing his philosophical and divinity studies, became a priest, and took out his degree of doctor of divinity. Being appointed professor of theology in that university,‡ his public lectures, the joint fruit of brilliant talents and assiduous application, attracted universal applause, and secured to him the reputation of profound erudition and extensive information. His daily increasing fame was not long confined to Brabant; he was now reckoned among the most learned divines in Europe. In 1594, he was made Provost of the archiepiscopal cathedral of Cambray,§ "Præpositus Ecclesiæ Metrop," and soon after went to Rome, where Clement VIII. was then distinguishing himself above even his most illustrious predecessors in patronizing literature and the arts, and was seeking out in every part of the church the most learned ecclesiastics, and conferring on them liberal rewards and the highest honours. Dr. Lombard's profound learning merited the high esteem, while his zeal for religion, his piety, and unaffected humility, won the affections of the discerning pontiff, and it was by the patron of Cardinals Perron and Toletus, &c., that Lombard had the honour of being appointed to the see of Armagh much about the time that Pope presented Baronius and Bellarmine with the Cardinal's cap. The Pope bestowed on him much of his confidence and intimacy, and appointed him his domestic prelate or chaplain,|| as well to mark his esteem for the archbishop as to provide him with pecuniary means suited to his rank and necessities.

About the time of his consecration, which took place in 1601,¶ the disputes concerning the doctrines of Molina, had assumed a very serious aspect, and the decision of the holy see was solicited on the subject. Clement VIII. established, in 1597, the famous Congregation "De Auxiliis," consisting of Cardinal Madrucci as prefect and ten assessors, to examine the book of Molina, and report thereon.

\* See Camden's letter in Askin's life of Usher. † Anthologia Hibernica, vol i. p.

‡ Jus prim. Armac. n. 27, 93. Hib. Dom. p. 628 in nota. § Harris' Ware's writers, p. 103.—Title page of Lombard's book, De Regno Hiber.

|| Jus prim Arm. n. 93. Hib. Dom. 628. Athen. Oxon. Vol. i. p. 481.

¶ J. H. Serry, Hist. Cong. de Auxil. Praef. paragr. 7, 23. Also V. Andreas Hist. Stud. Gener. Lovan. 2nd edit. Lovan. 1650, p. 130.



In 1599, the Dominicans and Jesuits were invited to appear before the congregation, and to defend their respective opinions. Finding the termination of the controversy attended with great difficulty, and wishing to act with the utmost prudence and security, Clement at length in 1602, ordered the disputation to be carried on in his own presence, transferring the assemblies of the congregation to his own palace, and appointing primate Lombard the president of the congregation,\* in place of Cardinal Madrucci, who died in 1600. The part taken by him in these assemblies may be best learned from the various histories of that celebrated congregation. Clement VIII., dying in 1605, their sessions were interrupted till the election of Paul V., who, yielding to the argumentative petition presented by archbishop Lombard, in the name of himself and colleagues, ordered the examination of the disputes to be resumed on the 14th of September, 1605. After sixteen sessions had been held in the presence of Paul V. and several cardinals, the Pope ordered the judges to meet in the house of the archbishop, their prefect,† and pronounce their decision; and after they had deliberated together in nine or ten congregations, he ordered their two secretaries, and the two archbishops of Armagh and Trani, to draw up the draft of the Bull or Constitution expressive of their decision. The decision of the judges being given; the task of composing the projected constitution, was by his colleagues committed to Dr. Lombard, and it was in his house, and by his hand, that the labors of that learned congregation were terminated, and the result of their ten years application to one particular question, embodied in the plan of a Bull that was to condemn several propositions, and to declare the doctrines of the church to which they were opposed. The document signed first by Dr. Lombard, the prefect,‡ then by the other judges, bishops and priests, was delivered to the Pope, who called a full meeting of his cardinals, to consult on its promulgation; but though it is said that the majority of them were for its adoption, yet Providence ordained that it should never be sanctioned or published; and the congregation was dissolved on the 31st August, 1607.

Circumstances had been hitherto extremely unfavorable to Dr. Lombard's return to Ireland. When he was ordained a priest at Louvain, his native diocese with the rest of Munster was the theatre of a most bloody and destructive war, carried on for fifteen years in defence of the religion as well as the liberty and independence of Ireland. When appointed to Armagh, the fiends of persecution and revenge were glutting themselves with the blood of their victims,

\* Du Pin Hist. Eccles. du 17, siecle Vol. i, p. 90, 138. Jus prim. p. 93. Hib. Dom. p. 628.

† Du Pin. ubi supra, p. 151.

‡ Du Pin. ibidem, p. 155. J. H. Serry, Hist. Congreg. de Auxil. 505, 563, &c., where the petition presented by Dr. Lombard to Paul V., and the outline of the intended Bull may be seen in full—in appendix, N. XII.

several of the Irish prelates had been already immolated to the spirit of Protestantism and Royal supremacy in spirituals, and scores of the clergy and laity had sealed the faith with their blood, and purchased on the scaffold the immortal crown of martyrdom. If James I., before his accession, promised Clement VIII. to declare himself publicly a Catholic; if he encouraged the Irish to expect toleration in religion, if they joyously hailed his arrival to the crown, received him as the lawful heir of their ancient native monarchs, and recognized him as the first English King of all Ireland; he soon changed his purpose, and badly repaid their hopes and their loyalty. Proclamations were issued to enforce the old penal laws of Elizabeth, and new severities were enacted. The chapels which were publicly opened and frequented the first years of his reign, were obliged to be closed, the bishops and clergy were commanded to banish themselves from their country, and never to return under the penalties of treason, the people were prohibited to give them food or lodging, under pain of fine and imprisonment, the Catholics were commanded to attend the protestant churches, under a fine of one shilling for each absence and the terrible civil consequences of excommunication, and the Catholic gentry were appointed spies or informers on their own brethren, and fined and imprisoned if they did not enforce these horrid enactments. "It was in fact, says an ardent Protestant,\* at that period, and for a considerable time prior to it, impossible for any titular archbishop to fulfil the functions of his office in Ireland. Such were the jealousy of the state and the intolerant spirit of the times." The king, in truth, denounced Dr. Lombard by name in an address to the English parliament, and vented his dogmatical ire against him for encouraging the Irish to send their children to the Catholic colleges on the continent.† In these circumstances he could have but little hope of doing much good in Ireland: the probability was, that the spies then employed to examine foreign passengers arriving in these countries, would have detected and arrested him before he could even reach his diocese. Such had been the fate of Primate Creagh, and such, Ruth says, was the fate of many others. He therefore appointed a resident Vicar to preside in his diocese.‡ Some circumstances would lead to the conjecture, that after the death of Paul V., in 1621, he set off from Rome for Ireland; but that, when he arrived at Antwerp he found it impossible to succeed in his attempt, and in consequence, after some delay there, returned back to Rome, where it is certain he died in 1625, or the beginning of 1626.§ However, the words of Dr. M'Mahon appear opposed to this conjecture; he says of Lombard and his successor "*ante egressum ex urbe mortui sunt Romæ.*" Dr.

\* Stuart's Hist. of Armagh, p. 271.

† Hib. Dom. p. 627—See the

speech of the King.

‡ O'Sullivan Hist. Cath. Tom. 4, Lib. i. c. 17.

§ Hib. Dom. 628.

—Smith's Hist. Waterf.

Lombard published at Antwerp in 1624, a work in 12mo. entitled, "Casus circa Decretum Clementis Papæ VIII. de sacramentali confessione, et absolutione non faciendâ in absentia, &c.," but he conferred much greater benefit on his country by another work, entitled, "De Regno Hiberniæ, sanctorum Insula, commentarius,"\* wherein he continues the civil Ecclesiastical History of Ireland down to his own time. It was dedicated to Pope Clement VIII. and was re-published, at Louvain, in the year 1632. A Manuscript copy of it, Nicholson says, was to be seen in the Harleyan library.† This valuable history is now extremely scarce; one cause of which is that Charles I., through Secretary Windebank, ordered his deputy Lord Strafford, to destroy all the copies of it that could be found, and also to punish its author,‡ leaving thereby to posterity an incidental proof of the independence with which history could then be written, of the liberty with which religious and national calumnies could be contradicted, and of the accurate information that English statesmen had on Irish affairs; for, not only Lombard, but also his successor in Armagh, were enjoying the reward of their labors long before Strafford received the order, or even before he first saw the Irish shore.§

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### HUGH M'CAGHWELL.

Dr. Hugh M'Caghwell, called in Latin Cavellus, succeeded to the Primacy immediately after the death of Dr. Lombard.\* M'Caghwell was born in the county Down, in the year 1572, studied in the Franciscan Convent of Salamanca, and took out his degrees of Bachelor licentiate, and Doctor of Divinity, with great *eclat*. Believing himself called to the religious state, he attached himself to the Observantine

\* The Title is "De regno Hiberniæ, Sanctorum Insula, Commentarius; in quo præter ejusdem Insulæ Situm, nominis originem &c. pii conatus et res a Principe O'Neillo ad fidem Catholicam propagandam feliciter gestæ continentur, Lovanii 1632. (491 pages in 4to.)

† Nicholson's Irish Hist. Library, p. 25.

‡ Stuart's Armagh, p. 272.—Harris' Writers, p. 103.—See Letter among Strafford's, November 20, 1633.

§ Qui cum esset Dr. Lovs. et ecclesiæ Metropolitæ Cameracensis Præpositus, illius Universitatis negotia Romæ agens, Clementi VIII. Pontifici carus, ejus mandatis difficillimas turbata tunc Anglicanæ ecclesiæ questiones, ac divinæ gratiæ disputationes, doctissime graviterque tractavit, ac pro suis meritis ab eodem Pontifice Archieps. Arms. totius Hib. Prim. creatus est: eidemque Clementi claro et fundato Commentario exposuit insulæ gentisque Hib. et statum et qualitates; qui liber *minus fidum* typographum vel typorum præfectum Lovanii adeptus est, sed aliquot in hac Urbe (Roma) locis extat manuscriptus.—Haroldi Vita Wadding, 2, p. 3.

\* Jus Prim Arm. n. 27. Burgo's Hib. Dom. Appendix, p. 748.

Friars Minors of St. Francis, and co-operated by his influence and exertions with Dr. Florence Conry, in establishing, at Louvain the College of St. Anthony of Padua for Irish Franciscans. It is probable that he also contributed his meed of assistance to the establishments founded at Rome by Luke Wadding, although it would seem that Wadding derived much more efficacious aid from his relative Dr. Lombard, who then enjoyed much favor and influence at the Roman court. Dr. M'Caghwell taught theology for about nine years: first \* at the college of St. Anthony of Padua immediately after its foundation, and afterwards, from about 1623, at the convent of Ara Cœli at Rome; and was moreover for some time Definitor General of the Observantines or reformed Franciscans.† In his theological lectures he zealously adopted the method and opinions of his brother Franciscan and countryman, John Duns Scotus, (the Irishman,) whose airy abstractions, refined subtilties, and infinitesimal distinctions he delighted to expound, and whose opinions he defended with much metaphysical ingenuity against one of the most voluminous writers of that age, Abraham Bzovius, a Polish Dominican. He possessed very superior talents, and was highly distinguished as an acute metaphysician and a perfect master of scholastic divinity; the matter and manner of which as it was then taught he greatly admired. But what was still more worthy of praise, "he was," says a modern Protestant writer,‡ "a man of singular humility, piety, zeal, and personal courage." Recommended by these qualifications, he was appointed to the see of Armagh, by Pope Urban VIII., March 17th, 1626. This noble minded prelate, with a disinterestedness and intrepidity worthy of a true successor of the apostles, did not "make his life more precious than himself;" but offering it in sacrifice on the altar, at which he was consecrated, determined to brave all dangers and risk every torture for the flock of Christ committed to his care. He eagerly hastened to repair to his diocese, completed his preparations for the journey, paid his parting visit to his friends in Rome, and bid them a last farewell. But just when he had overcome every obstacle to his return, and his will had rejected every fear and fully completed the merit of the sacrifice, he was suddenly called to receive the reward. He died, after a few days' sickness, on the 22nd September, 1626. His remains were interred in the cemetery of the convent of St. Isidore, where a monument was a few years after erected to his memory, with the following inscription: §

\* O'Reilly's Irish Writers, ad annum 1626—Stuart's Arm. p. 273.

† See his Epitaph, *infra*. ‡ Stuart's Hist. Armagh p. 273, taking it almost verbatim from Harris' Writers, p. 104.

§ See Burke's Hib. Dom. p. 748.

D. O. M.

Illustrissimo & Reverendissimo Fr. Hugoni Cavello  
 Ordinis minorum Strictioris observantiæ, Lectori, Definitori generali  
 Archiepiscopo Armacano, Primati Hiberniæ;  
 De patria, religione, literis bene merito,  
 Cujus in patriam reditum mors prævenit:  
 Excellentissimus Dominus Johannes O'Neill, Tironiæ Comes,  
 Hunc lapidem poni fecit.  
 Obiit. XXII. Septembris, MDCXXVI. Ætatis LV.

Of the many works which this learned prelate published, the first, and almost the only one adapted to the general reader, was his *Scataín Sacramuine é na Aistéise*, or Mirror of the Sacrament of Penance, which was printed at Antwerp in 1618,\* while he was professor of divinity in the College of St. Anthony of Padua, established but two years before. Harris,† and after him Stuart, refers this publication to the year 1628, and of course both suppose it a posthumous work, probably because Harris saw some later edition. His other works were destined for scholastic readers, by whom the name of Cavellus is still remembered and esteemed. The principal of these works, all in Latin, are: 1. "Scoti Commentaria, in quatuor Libros Sententiarum cum Annotationibus Marginalibus." Antver, 1620. 2. *Apologia pro Joanne Duns Scoto adversus Abr. Bzovium, &c.* Nich. Jansenius wrote against this apology, which produced a rejoinder from Cavellus under the assumed title of Hugo Magnusius.—"Apologia Apologiæ pro J. D. Scoto scriptæ adversus Nic. Jansenium Ord. Predicatorum, Paris, 1623." 3. "Scoti Commentaria seu Reportata Parisiensia." 4. "Quæstiones Quodlibetales." 5. "Quæstiones in Libros de anima." 6. "Quæstiones in Metaphysicam, &c., Venice, 1625." His life was written by the Rev. Fr. Patrick Fleming, of Louth.‡

M'Caghwell made his novitiate in Salamanca, which convent then received subjects for every part of the world indiscriminately, where he had along with him, among the novices, *eleven who were afterwards bishops in different parts of the globe.* Two of these eleven were, "*Matthew de Oviedo* Episc. Dublin et Episc. *Electum Auriensem in Callecis Hispanis.* (Wadding's orderly and precise manner of recounting dignities imply, that Matthew became 'Electum Auriensem' after he had been Archbishop of Dublin). *Florent. Conry, Archiep. Tuamen,* virum doctum atque in Augustini operibus ultra omnes quos noverim versatissimum." "M'Caghwell, qui post tersa & correctæ fere omnia opera Scoti, & addita doctissima scholia prudenterque pro-

\* O'Reilly's Irish writers ubi, supra—Harris dates it 1628, two years after his death.

† Ware's writers, p. 104. Stuart Hist. of Armagh, p. 274.

‡ Harris' Ware's writers p. 112.

motum & rectum Collegium Minor. Hibernor. Louvanii, post longa itinera & magnos susceptos labores pro gravioribus sui Institutii negotiis, ad plura comitia generalia *semper pedes profectus*, per *Hispanias, Galliam, Germaniam, Italiam*, post *moderatum gymnasium nostrum Aracelitanum*; dum de secessu, & vita a turbis remota, in hoc Collegio inter suos conterraneos meditaretur, ab Urbano, P.M. hoc anno 1626, *sub mensis Martii die 17*, ad sedem Armac. &c., assumptus est: *consecratus 7 Idus Junii (June 7th) in hac æde, simul cum D. Thoma Valesio Archiepo. Cassili. ab Illustrissimo D. Gabriele de Trejo, summe in Hibernos benevolo, Cardinali.*" (Wadding's Annals ad an. 1254, No. 46. Tom. 3. p. 362.) "Commoratus hic per æstivos calores, dum cogitaret de visitanda & consolanda sua ecclesia, communi patriæ jactura & nostro dolore obiit xi. Kal. Octobris, *sepultus ante aram SS. Francisci & Patritii.*" (Ibidem.)

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### HUGH O'REILLY.

ON the death of Dr. M'Caghwell, we are told, that the Pope received several applications recommending different persons to the vacant see. Paul Harris\* says, that Dr. M'Caghwell himself, wrote from his death bed to the Pope, recommending Richard Chamberlain, a native of Ulster, and professor in the Irish college at Louvain as his successor, but that the appointment was made before the Pope received the letter. This statement, I confess, appears to me not very probable in itself, nor easily reconcilable with other authenticated facts. The Primate's illness was sudden and brief, his death unexpected. He could scarcely have known the certainty of his immediate dissolution, or thought of a successor, until he had become unable to write, and he was, moreover, otherwise occupied. Again, if any such recommendation had been written, it must have reached the Pope in a very few days after the 22nd September, 1626, the day of M'Caghwell's death; and yet, on the 6th of June, 1627, we find his successor not yet appointed, at least to his own knowledge; for in a formal document of that date, he styles himself simply Bishop of Kilmore.† The Rev. Dr. O'Connor‡ (Columbanus), tells of a similar application made by the young Earls of Tyrone and Tyrconnel, the sons of the fugitive princes whose lands were confiscated. Their letter was dated, at Brussels, March 19th, 1627, whither they had retired from Rome; they in the first place petition that no person but an Ulsterman shall be appointed primate, and in the next, they ask that on the death of Mr. D'Caghwell, the Pope

\* "Harris' Trates sobrii estole."—cited by Stewart.  
Dom. p. 109.

† De Burgo. Hib.

‡ Historical address, p. 314.

may appoint Bonaventure Maguire, a near maternal relative of O'Neal to succeed him. O'Connor says, he saw the original letter in the Passionei collection in the Vaticellian Library at Rome.\* This application also failed of success.

Mr. Patrick Lynch asserts in his list of primates in the appendix to his life of St. Patrick, that Patrick Fleming succeeded Dr. M'Caghwell, and died in 1631, after which O'Reilly was appointed. But I am much disposed to believe that there is no authority whatever for supposing that Patrick Fleming was bishop of any see, much less primate of Ireland in 1630. 1. Because Lynch produces no authority, and I never saw the assertion made by any other writer more ancient than himself. 2. Because the Rev. Paul Harris,† and the holy Primate, Dr. Oliver Plunkett,‡ both living in Ireland at the time, repeatedly state that Dr. O'Reilly was the immediate successor of Dr. M'Caghwell, and governed the See in and before 1630, and so also do primate M'Mahon,§ Dr. De Burgo,|| Columbanus,¶ Stewart,\*\* &c., &c. 3. Because the only Rev. P. Fleming that was distinguished at that period, and that died in 1631, and to whom it would appear from the identity of the date of decease that Mr. Lynch refers, was never promoted to the piscopacy. One of his friends, the Rev. Michael O'Clery, the chief of the famous Four masters, wrote an elegy on his death; another friend, Sirinus wrote his biography;†† Moreri,‡‡ Feller, Harris,§§ &c., &c., have also recorded the history of his life, and none of them mention that he was a bishop. They tell us he was the son of Captain Garret Fleming, a near relative of Lord Slane's, was born in 1599, in the County Louth, studied at Douay under Dr. Christopher Cusack, his maternal uncle, the president, and in a great measure the founder, of all the Irish Secular Colleges in Flanders. He then went to Louvain, where he took the habit of St. Francis on St. Patrick's day, 1617, and the year following made his vows. In 1623, he went to Rome with Dr. M'Caghwell, then Definitor General of the Franciscans, and on his way stopped at Paris to collect from the libraries there, materials for the history of the Irish saints. In this task he was joined by Fr. Hugh Ward; the fruits of their diligent and extensive research were by them committed to writing, and became the foundation of Ward and Sirinus' *Vita St. Romualdi* and of Colgan's "*Acta Sanctorum Hiberniæ*," (and his "*Trias Thaumaturgas*.") After having taught philosophy at Rome in the College of St. Isidore, and at Louvain in the College of St. Anthony of Padua, he was appointed president and lecturer in divinity in the lately founded

\* Ibidem in note.  
37, 57.

† Harris ubi supra and in his *Arklomastix*, p. 33,

‡ O. Plunkett *Jus Primat*, p. 30. § *Jus Prim*, Arm, n. 27. || Ubi supra.

¶ *Vita St. Columbani*, &c., in *præfat*. \*\* *Dictionaire Histor*, &c.

†† Harris' Irish writers.

college of the Immaculate Conception at Prague. That city being about to be besieged by the allied troops of Sweden and Saxony, he and two of his brotherhood, Matthew Hoar and Francis Maginnis fled from Prague, hoping to escape the shocking cruelties then usually inflicted by the Protestant soldiers on such Catholics, but particularly on such priests, as fell into their hands. But they had not advanced far into the country when they were surrounded by some Lutheran peasants and barbarously massacred on the 7th November, 1631. His principal published works are: 1. The life of Dr. Hugh M'Caghwell, Louvain, 1626. 2. *Collectanea Sacra*, containing the life of Columbanus, &c., Louvain, 1667, and 3. An Abridgment of the "*Chronicon consecrati Petri Ratisbonnæ*." It is very certain that he was never promoted to the primacy, and hence on the authority of Drs. Plunkett, M'Mahon, De Burgo, &c., we may conclude that Dr. Hugh O'Reilly was the immediate successor of Primate M'Caghwell.

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## PROTESTANT ARCHBISHOPS.

NEARLY a century had now elapsed since Henry the VIII. made the first attempt at changing the religion of the Irish; the arm of persecution unnerved by almost uninterrupted exercise during that period required repose, and on the accession of Charles I., the government began to relax somewhat of their former vigilance in the vigorous execution of the penal laws, although their underlings and the petty retailers of justice through the country still continued to carry the vindictive fury of their bloody zeal against Catholics even beyond the laws. This lucid interval of reason on the one side, and of comparative security, on the other seems a convenient occasion for taking a brief retrospective view of the Protestant Archbishops of Armagh, and the state of both creeds in that province. Ware, Harris, and Stuart, all decided ultra-Protestants, shall be my exclusive guides.

Dr. Hugh Goodacre, an Englishman, was the first Protestant archbishop of Armagh. The only remarkable incident in his life, is the manner of his being made bishop. Dowdall, the primate, was still alive, and had neither resigned nor been deprived of his see when Edward VI. appointed Goodacre to it.\* The 2nd February, 1553, was selected for the ceremony of his consecration, and it was to be performed by George Browne, in Dublin. Hitherto, the Roman Pontifical or Ritual, established for ages, had been followed on such occasions, "no pains had been taken nor arguments adduced to shew rational grounds, much less necessity, for departing from it now,"

\* Ware's bishops. Stuarts's Hist. Mem. of Armagh, p. 241.



and substituting another form essentially different, and by almost the whole Christian Church then, and by Protestants themselves now known to be utterly invalid. In truth "it seems, says Mr. Stuart,\* to have been taken for granted, that the theological opinions of the Irish nation ought, as a mere matter of course, to be regulated by those of the English people, or rather of the English court." But Lockwood, Dean of St. Patrick's, who seems to have had a clearer view of the subject, proposed that the Roman ritual and ceremonies should be retained. The new primate seemed to be very indifferent by what form or process he was declared a bishop; the other anglican prelates consented also to Lockwood's proposal. But John Bale, who was on the same ceremony to be made bishop of Ossory, stormed violently against it and its abettors, sacrilegiously ordered the holy communion to be removed, and a common loaf to be put in its place,† and repudiating the Roman, (which was still the law in Ireland,) and every appearance of receiving a spiritual character or powers, he and Goodacre were both not consecrated, but declared bishops according to the long exploded ritual of Edward VI. These prelates however acted as bishops, but their own consecration being totally invalid, their attempts at ordaining deacons and priests were of course utterly nugatory and of no effect. Such also of the priests so ordained as may afterwards have been appointed bishops *could* not without re-ordination, be by virtue of any form whatsoever validly consecrated, and hence arises one of the many doubts that attach to the validity of the ordinations of our present Protestant clergy, whether bishops or parsons. Goodacre died in Dublin, on the 1st May, 1553.

Adam Loftus, a Yorkshire man, owed his promotion to the beauty of his person and the fascination of his manners.‡ The graceful and yet unbearded youth having appeared before Elizabeth at a public exercise in Cambridge, she was mightily pleased with his fine voice and bewitching person, and promised him speedy promotion. He was first made chaplain to the Earl of Sussex, Lord Lieutenant of Ireland; then the Queen made him her own chaplain, and before he finished his collegiate studies, or reached his 28th year, he was made primate of all Ireland. He was consecrated by Hugh Curwen Archbishop of Dublin, in March, 1562, but I have not seen, and they who are interested in the matter, never mention by what rite he was ordained a priest. To judge by his actions he was much more solicitous about advancing his fortune and ambition, than about the interests or prospects of another life. He rarely went near his diocese, or performed any spiritual functions; spent his time about the Castle of Dublin, and contrived to get himself appointed, twice keeper of the Great Seal, afterwards Lord Chancellor, Provost

\* Ibidim.

† Harris, Wares Bishops. Stuart Hist. Mem. p. 242.

‡ Stuart, p. 247. Harris' Bishop.

of Trinity College, and four times Lord Chief Justice.\* Not content with the revenues of Armagh, he represented to the Queen his see as a barren "title without *any* worldly emolument," and obtained along with it the Deanery of St. Patrick's Dublin,† with its immense revenues, *she* granting the *primate* a dispensation from the ecclesiastical canons that prohibited pluralities. "The pleasing qualities of this learned prelate," says his apologist, "were in *some degree* sullied by his insatiate avarice and unbounded ambition. Influenced by these passions, he wished to monopolize every church preferment that became vacant either for himself or his family. In 1567, he sought and obtained a translation to the archdiocese of Dublin, which was then more productive in pecuniary emolument, and still I believe retained the deanery, till he died in 1605, guilty of the murder of Archbishop Hurley, and charged with the blood of Sir J. Perrot.

Thomas Lancaster, another Englishman, ordained, I believe, according to the invalid rite of Edward the VI., was treasurer of the chapter of Salisbury, chaplain to Queen Elizabeth, and was consecrated by Adam Loftus, then of Dublin, archbishop of Armagh, on the 13th June, 1568. The only particulars of this prelate, recorded by Ware and Stuart, are:—1. That he applied for a dispensation from the payment of his first fruits and obtained it.‡ 2. That this archbishop, like his predecessor, procured a dispensation from the female head of his church, to gratify his avarice by the revenues, and his zeal by the pastoral care of several wealthy benefices. Hence he was at the same time archbishop of Armagh, archdeacon of Kells in the diocese of Meath, treasurer of the chapter in the diocese of Salisbury, prebend of Stagonilly in the diocese of Dublin, and moreover, rector of Southhill in the diocese of Exeter, of Sherfield in Winchester, and of Nobhir in Dublin, besides whatever rectories in Armagh he retained to himself. And 3. that in 1571, he by various devices procured an act of parliament empowering him to set large tracts of the church lands of his see for 100 years, at the nominal rent of 4d. per acre, fugal now statute measure, with of course an adequate fine to himself in hand.§ In other words, an act of parliament empowered him to impoverish his see, and rob his successors for 100 years, in order to swell his bursting coffers and compensate him for being a Protestant. This good bishop and disinterested apostle died in 1584, and was buried in Drogheda in the vault of his predecessor.

John Long, his successor, was also an Englishman, born in London, ordained, I should think, in the reign of Edward VI., appointed by Sir John Perrot to the see of Armagh, on the 11th July, 1584,

\* Ware, Harris, Stuart, *ibidem*. † Stuart, p. 248, Rot. Cancel, 6 and 7, Eliz. d. m. org. Frant, 7 Eliz.—Lodge's M.S. notes.

‡ Stuart, p. 262, citing Rot. Canc. 15, Eliz. f. m. 5. § Act Parl. 13, Eliz. Harris, Ware's Antiquities, p. 225.

obtained the temporalities thereof on the 13th, was sworn a privy counsellor in 1585, died and was buried at Drogheda in 1589, leaving no one other memorial after him for his panegyrists to record.

Hugh, or as Ware calls him, John Garvey, probably ordained minister by the fanatical firebrand, John Bale of Ossory, after having been for four years bishop of Kilmore, was translated to Armagh.\* He is said to have proved his Irish nationality, by supporting good cheer and hospitality at his table, and in compensation obtained a remittal of the first fruits of his see,† although not so successful as some of his predecessors, yet he was able to keep possession of the deanery of Christ Church, Dublin,‡ the deanery of Meath or Clonmacnoise, and the archdeaconry of Kells, with its four rectories and near 900 acres of glebe lands, together with the primatial see of Armagh.§ He died in Dublin, March 2nd, 1595, new style.

Henry Ussher, a native of Dublin, was appointed archdeacon of Dublin by Adam Loftus, and was promoted to the see of Armagh in 1595. He too discovered the secret of "serving two masters," for while he vehemently denounced the errors of popery, and extolled the beatitudes of poverty and persecution; he at the same time kept Mammon in good humour by uniting with his primatial revenues those also of the archdeaconry of Dublin. Thus he was from his consecration till his death archbishop of Armagh and rector of St. Peter, of St. Kevin of Donnybrook, of Rathfarnham, and of Tawney, in the diocese of Dublin.|| He also obtained from his royal mistress a mortmain license to hold the lands granted to Trinity College by the City of Dublin, and of course his share of 76196 acres granted to the bishops, &c., out of the lands confiscated in Ulster. "Primate Henry Ussher, says Stuart, seems to have been studious to promote the interest of his family, and *probably* with this view he leased fourteen townlands belonging to the see to Theophilus, Bishop of Dromore, and "Sir Edward Doddington, knight, for sixty years to the use of his three younger children."¶ Having accumulated an immense fortune for his children by his pluralities, and this public but disguised robbery of the Church, he died at Termonfechan, April 2nd, 1613 "highly esteemed by the protestants of Ireland," and his bones were interred near those of Lancaster, his predecessor in Armagh, and his model in sacrilegious rapine.

Christopher Hampton born at Calais of English parents, made

\* Wares' Bishops.  
notes.

† Rct. Canc, 33, Eliz. d. Mem. 6 Lodge's M.S.

‡ Wares' Bishops.  
Bishops. p. 97. Stuart, 263, Rot. Canc, 36, 37, 38, Elez.

|| Wares'

¶ Stuart. 264, Man. State of the Diocese in 1622, penes Primate Robinson in 1770, and notes to Lodge's MSS.

vice-chancellor of Trinity College, in 1612, then bishop elect of Derry, was promoted to Armagh in 1613, and at the same time, made a member of the privy council, and the first person appointed King's almoner in Ireland, for which he had a salary of £100 per annum. He delighted in building, repaired his cathedral, and erected at Drogheda a palace which had cost in 1622, £2,064.

### HUGH O'REILLY,

DR. HUGH O'REILLY was translated from the see of Kilmore to that of Armagh in or about the year 1628. In the preceding year (1627,) he published, as bishop of Kilmore, an official mandate\* regarding Friars, and the quarta funeralium, of which decree, and also of the primate's previous history, some account will be found in its proper place, under the head of the bishops of Kilmore. In the year 1628 or 1629, the Rev. Patrick Cahil, parish priest of St. Michael's, Dublin, employed a silversmith to make two episcopal seals, one for Dr. O'Reilly, with the arms of Armagh engraved on it,† the other for his successor with the arms of Kilmore. For this heinous offence, however, Mr. Cahil was apprehended, and cast into prison, whence after several months incarceration he with difficulty escaped. The primate was glad to find, the year following, an opportunity of marking his gratitude for the perilous civility of his friend. Cahil having been unjustly, as he conceived, deprived of his parish, on the ground that his appointment made only by the Rev. James Talbot, the Vicar General of Dublin in the absence of the archbishop, was invalid, and the parish having been given to Rev. Mr. Brangan, Cahil appealed to the Holy see, and procuring strong testimonial, letters from the primate, and other Irish prelates, he prosecuted his appeal and recovered his parish, with the pope's confirmation.‡

The period of Dr. O'Reilly's administration was most momentous. The unparalleled intolerance of the Anglican Church, the intended, or at least menaced extirpation of the Irish Catholics, lay and clerical—their generous, because unmerited loyalty; their heroic efforts for the liberty of their religion, the independence of their country and the power and prosperity of their king, and the calamitous ruin of their all, under the depopulating fury of the sanguinary Cromwell and his rebel associates—all these events crowd into the narrow compass of twenty-four years.§ But though the primate was not a passive spectator of the civil or "ecclesiastical transactions of his time, although he largely contributed to the transient

\* See Hib. Dom. p. 109.  
&c. 14.

† P. Harris *ibidem*.

‡ Rev. P. Harris' *Arklomastix*, p.

§ From November, 1626 to 1651.

glories of religion and country, and shared deeply in their affliction, yet so interwoven is his history with that of his time, that this brief memoir can give but a few particulars and refer for the remainder to the history of the civil war of 1641, and of the wars of Cromwell.

King Charles I. succeeded his father on the 27th March, 1625. Humane and benevolent by nature, he disliked the persecution of a religion of whose truth he was himself almost convinced and his soul abhorred the idea of pleasing God by the bloody sacrifice of victims. Ireland, like the Roman empire under Trajan, began to present fewer martyrs than before; but the good Trajan succeeded a Nero and a Domitian, and not having the manly spirit to recall their enactments, spite of conscience and his own feelings of justice left his Christian subjects exposed to the savage cruelty of provincial tyrants; such also was the case with Charles. The motto of both reigns with regard to the Catholics was "*inquirendos quidem non esse, oblatos vero punire oportere.*"\* There were, however, some exceptions to this rule, sometimes on the side of persecution, at other times on the side of justice according to the alternate preponderance of the king's pusillanimity or virtue. Finding himself at his accession to the throne, involved in war with the two most powerful states of Europe,† and unable to extract sufficient supplies from the English Parliament already partially inoculated with the puritanical spirit of disaffection, he deemed it prudent to augment the native force of Ireland by 5000 foot and 500 horse. On these he relied as well for repelling foreign invasion if attempted, as for repressing the spirit of discontent, which there was reason to apprehend was brooding in Ulster. The Scotch colonists were deeply imbued with the rabid fanaticism of their native kirk, and would naturally join the rebellious standard of their relatives and countrymen. The native Irish of Ulster could neither be grateful for the religious persecution of the last century, nor as yet well reconciled to those who robbed them but ten or fifteen years before, of more than half a million of acres of their ancient inheritance. There being, however, no means of providing for the payment of these additional troops, they were quartered on the different counties successively; a measure, which from its arbitrary and galling nature excited general dissatisfaction.

In these, and many similar circumstances, the newly enriched planters felt no obligation of assisting the king by a part of his own donation.‡ But the persecuted and plundered Catholic natives stepped forward, and offered by a voluntary contribution to pay the expenses, &c., of the Irish army, asking in return not a restoration of their former estates or a re-establishment of their religion but only

\* Trajan's Letter to Pliny.

† Sir. E. Walker's Hist. Discourses, p. 337.

‡ Sir Edward Walker's Histor. Discourses, p. 338.

a security for the remnant of property they still possessed, and a partial toleration of their religion.”\* The toleration they desired was no more than some respite from the oppressions and vexations of the ecclesiastical courts; to be releaseed from those exorbitant sums which they were obliged to pay for christenings and marriages; and particularly to have the extravagant surplus fees of the clergy, and the extraordinary warrants for levying them abolished.”† This proposal was made to the Lord Deputy Falkland; he warmly approved of it, recommended it to the King, and encouraged the Irish to send authorized agents to lay it before his Majesty. In 1626, the King sent an order to the deputy to convoke a council, and grant a suspension of these vexatious laws,

But no sooner had the protestant bishops notice of the intended concessions than they assembled to protest against them.‡ Their famous council was held in the house of Primate Ussher, and he himself drew up the following solemn decree, which they styled, “The judgment of the archbishops and bishops of Ireland, concerning toleration of religion.”

“The religion of the papists is superstitious and idolatrous, their faith erroneous and heretical, their church, in respect of both, apostatical. To give them therefore a toleration, or to consent that they may freely exercise their religion, and profess their faith and doctrine, is a *grievous sinne*. Such toleration, they say, would make them accessory to “all the abominations of popery,” “and to grant it in respect of any contribution to be made by them is to set religion to sale.” They conclude, “and as it is a great sinne, so also a matter of most dangerous consequence. The consideration whereof we recommend to the wise and judicious. Beseeking the zealous God of truth, to make them who *are in authority* zealous of God’s glory, and of the advancement of true religion; *zealous, resolute, and courageous* against *all popery*, superstition and idolatry. Amen.” “Jacobus Armacanus. Mal. Cassiliensis, and ten bishops representing sixteen sees. Conferred and agreed upon November 26th, 1626.”

This inquisitional decree had its desired effect. The toleration was (not refused,) but it was never granted. The fears or conciliating complaisance of Charles overuled his conscience and his interest. Nor did the bishops or their tool stop here. Dr. Downham, bishop of Derry, at the next meeting of the assembly in April, 1627, preaching in his sermon, before the Lord Deputy and his council, enforced the same policy, and published anew to them the above judgment of the archbishops and bishops in order, says he, “that whatsoever shall happen, the world may know that we were far from con-

\* Carte’s Ormond, Vol. 1. p. 50.

† Ibid.

‡ Ware’s Gesta Hibern. Harris’ Fiction unmasked. Ussher’s life.

senting to those favours which the papists expect.”\* The Sunday following, primate Ussher insisted with all his might on the same topic, and republished the same creditable document. Nor was the spirit of this liberal prelacy appeased till the deputy published a new “proclamation against the popish clergy,” on the first of April, 1629, charging and commanding them in his Majesty’s name, to forbear the exercise of their popish rites and ceremonies.”† This was but the third proclamation in the space of twelve years for banishing the Catholic bishops and clergy out of the kingdom; and as the bishops seemed prepared unlike interested hirelings to lay down their very lives for their flocks, and as the laity were not affected by these Christian edicts, hence it was found necessary for the anglicans and their party to rekindle and expand their zeal. As soon, therefore, as Falkland was recalled (in 1629,) and Lord Ely and Lord Cork appointed lords justices, the penalties of absence from church were exacted from the laity; the clergy were dragged from the altars and thrown into prison, the altars were desecrated, the chapels confiscated, the crucifixes and relics broken and burned in the streets, and the archbishop of Dublin put himself at the head of a troop of savage soldiery on the sabbath day to perform the most shocking deeds of this pious crusade.‡

Such were the difficulties with which the poor, powerless, and persecuted Catholic bishops had to contend in every part of the country. In this war religion could find, against the allied force of heretical intolerance and foreign power, but one auxiliary, an efficacious one it is true, but yet one as odious to the cause it served, as it was degrading to the independence of the country. This was the general character of the Protestant clergy. In 1630 but two, at most three Irishmen, occupied seats on the Irish Protestant bench, and indeed, such was also the case during almost the entire of the 17th century.§ Seven of the sees were possessed by Scotchmen, and the remaining twenty were held by natives of England. “The parishes, says Stuart,|| were either filled with *careless* and *immoral* pastors, or sequestered by *avaricious bishops in commendam*. Divine service was not performed except in great towns and cities.” “The dignitaries were taken from these men, and continued to deserve the same character.” “The ecclesiastical courts, says Bishop Burnet,¶ were often managed by a chancellor that bought his place, and so thought he had a right to all the profits he could make out of it. And their whole business seemed to be nothing, but oppression and extortion; the solemnest,

\* Foxes and Firebrands, part 2, p. 80. Curry’s Review, 1. p. 110.

† Ware, Hammon L’Estrange, cited by Harris in Fiction unmasked. Curry Vol. 1, p. 114.

‡ Ware, Harris, Curry, De Burgo, &c. ubi supra. § See Harris’ Ware’s bishops, and Beatson’s Political Index. See note on this subject in O’Sullivan’s Hist. Cathol. p. 341. Dublin, 1850.

|| Histor. Memoirs, p. ¶ Life of Dr. Bedel.

the sacredest of all church censures, which was excommunication, went about in so sordid and base a manner that all regard to it, as a spiritual censure was lost. . . . . The officers of the court thought they had a sort of right to oppress the natives, and that all was well got, that was wrung from them." Bishop Bedel\* tells us in one of his letters, that a system of grossly shameful simony prevailed through all the dioceses in Ireland, but his own, and that even the Primate Ussher's was as deeply criminal as any other, and "some, says he, say it is worse." By the journals of the Irish parliament, it appears that this system continued up to the eve of what is called the Irish rebellion. In 1640 the house of commons† dispatched an "humble remonstrance" to the king, against the clergy, complaining of "many grievous exactions, pressures, and other vexatious proceedings . . . . against the laity, and especially the *poorer sort*." and petitioning that at least, "some thereof being most *exorbitant* and *barbarous* should be abolished, being repugnant to *law* and reason." Whenever the Catholic priest was called upon to christen, to marry, to anoint, to say mass for the dead, &c., the Protestant parson or bishop, exacted the dues. Thus, among the exactions of which the commons complain, are "money for holy-water, clerk, anointing money, mortuary, mary-gallons, St. Patrick's ridges, soul money, &c. &c." To avarice and simony, were added sacrilege, defrauding of the poor, and bribery. "*Great sums of money*, says the remonstrance received by *several* bishops, for commutation of penances, which money by the king's instructions should be converted to pious uses, not observed, but made a private profit." And in another remonstrance‡ presented the same year to the English parliament, all these charges are confirmed. This commutation money, it says, "which should either not at all be exacted, or if exacted, should be set apart for the *poor*, and *other pious* uses, came either to the *prelate's kitchen*, or the commissary's purse, or to both. And that though they pretended themselves to be the advancers of virtue, and the punishers of vice, yet they usually, without further satisfaction, absolved the most scandalous persons for a sum of money, and often questioned not at all at such, from whom they privately before-hand had received such sum." And Bishop Burnet§ tells us that, "in these (the bishops') courts, bribes went about almost bare-faced; and the exchange they made of penance for money, was the worst sort of simony." Nay, the Irish Bishops themselves did not deny these statements, at least among their friends. For Primate Ussher confidentially informs his brother primate of England, (Laud) that "such was then the venality of all things sacred in Ireland, that he was afraid to mention anything about them."

\* Life of Dr. Bedel. † Commons Journal, vol. 1. p. 258. 261. Curry's Review, vol. 1. p. 112.

‡ See Pryn's Antipathy, &c. part 2. p. 374. § Burnet's Life of Bedel. See Mason's life of Bedel *passim* for truth of these statements.



Such is the picture, drawn by their friends, of these very bishops, who hypocritically affected to think it "a grievous sin to grant any toleration" however limited to their Catholic countrymen, and who, under the pretence of scrupling that "it would be setting religion to sale," but really with the view of enriching themselves with the fines and exactions from the Catholics, deprived the king of the services of a brave army of 5,500 men, gave courage and energy to the Scotch rebels and their sympathizing Irish brethren, and eventually caused, perhaps unintentionally, the murder of the king.

But the truth is, that "many of the prelates as well as officers of state, of English birth, were puritanically affected."\* It is notorious, that the Scotch Presbyterians who publicly professed their hostility to the establishment, then possessed the greater portion of the tithes and the churches in Ulster, and were promoted to dignities, and sat in the convocation of 1634.† And it is equally well known, that in order to conform to the Presbyterian ritual, the bishops were in the habit of discarding their lawn and pontificals, of omitting the whole essence of the form of ordination, and taking their place as mere presbyters in the Calvinistic presbytery, whenever persons presented themselves for ordination.

Nor was this all. Rev. Mr. Leland‡ acknowledges that "ignorance, negligence, and corruption of manners prevailed among the established clergy," and that "some of them were scandalously profligate." Carte§ another friend, observes; "as scandalous livings make scandalous ministers, the clergy of the established church were negligent of their cures . . . . were generally *ignorant and unlearned*, and *loose and irregular* in their lives and conversations." "They are, says their great patron the Lord Deputy Wentworth,|| an unlearned clergy, who have not so much as the outward form of churchmen to cover themselves withal, nor their persons any way revered; the churches unbuilt . . . . the people untaught through the non-residence of the clergy, occasioned by unlimited shameful numbers of spiritual promotions, with care of souls, which they hold by commendams, the rites and ceremonies of the church run over, without decency of habit, order, or gravity, in the course of their service; the bishops alienating their very principal houses and demesnes to their children, to strangers, and farming out their *jurisdictions* to mean and unworthy persons." In another letter he says to Archbishop Laud of the Irish clergy, "keep the bishops from their sacrilegious alienations,"¶ and again, "here are divers of the clergy whose wives and children are recusants, &c.\* No wonder then that he

\* Leland's Hist. of Ireland, vol. 3. p. 4. † Presbyterian Loyalty. Leland Hist. vol. 2. 481. Ware, Harris, Baxter's Life of Ussher.

‡ Leland ubi supra, p. 4. 26.

§ Carte's Ormond, vol. 1. p. 68.

|| State Letters, vol. 1. p. 187.

¶ Strafford's State Letters, vol. 1. p. 212. 213. 172. 188. 254.

should have ridiculed the selfish plan, suggested by the bishops and their partizans, in lieu of a contribution to the state, of making up the same amount by penalties on the Catholics, and thus, at the same time, bringing them to see the light of Protestantism. "Such brain-sick zeal, says Lord Wentworth,† would work a goodly reformation surely, to force conformity to a religion, when there was hardly to be found a church to receive, or a minister able to teach the people." No wonder also that Laud should lament that the "Irish ecclesiastical disease is spread so universally over the body, that a very wise physician can scarce tell where to begin the cure."‡ For the same archbishops tells us on another occasion, that six benefices were not able to find the minister, clothes (in consequence of "their sacrilegious alienations;") and that in six parishes there were scarce six to come to church."§

But besides this universal leprosy, there were other enormities which could not possibly be so common. The clergy, it is true, "were scandalously profligate and immoral," but the episcopal bench was defiled with crimes that disgrace human nature, with a horrid licentiousness of lust, at which the pagan worshippers of Priapus or the prostitutes of Venus would shudder with horror. I will not pollute this page with the detailed narrative of bishops discarding their wives and taking their housemaids, then loathing the servant and taking back the wife, and finally, by virtue of a deliberate compact, introducing together both wife and servant into the same licentious bed.|| Suffice it to observe, by way of example, that in a single diocese,¶ and in the short compass of sixty years, there sat in the chair of its sainted patrons, not less than three reforming bishops publicly convicted of crime, one\*\* of whom was deposed for outrageous sedition, or treason; the second†† for forgery; and the third‡‡ after a life devoted to the most excessive libertinism and promiscuous lust, was publicly hanged for an unnatural unmentionable crime, surpassing in its shocking enormity even that monstrous guilt which changed Gomorrah into a pool of sulphurous fire.

But to return to a more edifying topic, the particular history of Primate O'Reilly, from which we have been led away perhaps too far, by events that had considerable influence on the course he pursued. On his taking possession of his diocese, he found two objects that especially demanded his special attention. The first was, to supply the deficiencies and rectify the disorder or inconveniences that had arisen from the protracted exile of his predecessors: for no arch-

\* Strafford's letters, p. 188.

† Ibid. p. 172.

‡ Ibid. p. 212.

§ Ibid. p. 254.

|| Rooth's *Analecta Sacra*.

¶ Waterford.

\*\* Archbald Adair,

a Sotchman. Ware, Harris, Bishops.

†† Middleton an Englishman. Harris, Ware, Heylen, &c.

‡‡ Atherton.

Harris, &c. These sixty years were between, 1582 and 1641.—see also—

Smith's *Waterford*. Rushworths Collections. See MS. note.

bishop could reside in Armagh for upwards of thirty years before his promotion. The second was to preserve his flock and the Catholics of the province from the corruption of error, and repel the assaults which the Protestant archbishop unceasingly directed against their faith.\* In the celebrated Dr. James Ussher, our venerable primate found an opponent every way formidable. By early education a rancorous bigot, of the most violent and deep-rooted calvanistic prejudices, active and preserving by natural disposition, and by frequent practice, an adroit and ready polemic. Almost the only Irishman in the Irish episcopal establishment, he presented in his own person a striking contrast to the religious indifferentism, the ignorance and the immorality that were then enthroned in the protestant cathedrals. To his sectarian creed he owed his intolerance, to English domination over the Irish temporalities, and a condescension to his foreign colleagues he owed that connivance at the barefaced simony of his ecclesiastical court, which involved him in their disgrace, but to his country he owed those splendid talents which have made her overlook his faults, and glory in the invaluable literary productions which immortalize his memory. He was now "going round sea and land to make proselytes," he applied alternately terror, and promises and argument to effect his purpose. But Dr. O'Reilly was not inactive. Being a man of considerable learning, as his contemporaries testify,† and as sufficiently appears from his having graduated a doctor of civil and canon law in one of the foreign universities, he exhorted his people with great zeal and effect, and furnished them with solid proofs of their faith, and a satisfactory exposure of the adverse sophistry. He explained to them the characteristic marks of the true church. He compared the harmonious unity of their faith with the contradictions of the multitudinous sects that swarmed around them, and of the members of each sect, and in particular with the jarring discord of the established clergy, some of whom preached the presbyterian covenant against the English articles, others lauded the articles and condemned the covenant, while the primate himself arbitrarily vacillated between the one and the other. He contrasted the antiquity and universality of their divine belief with the upstart novelty and sectarian character of protestantism. But above all he pointed with a mixture of indignation, and triumph to the crimes and immorality of these new apostles who deformed everything they pretended to reform, and whose wicked lives proved, according to the gospel text, that they were not the true prophets of God, but ravenous wolves. Ussher preached incessantly, but preached in vain; he then resorted to private disputation, and this also failed. Being answered by some who wished to evade quarrel, that they would adhere to the religion of their ancestors, he published a trea-

\* Aikin's and Baxter's life of Ussher. Harris. Stewart.

† Dr. Plunkett's *Jus prim.* p. 30.

tise purporting to shew that the ancient Irish were all protestants. Finding that this opinion was generally ascribed to the moping blindness of religious phrenzy, and produced more of contemptuous ridicule, than of conviction, he visited the cabins, and insinuated himself "by smooth conversation" into the confidence of the poor, and ordained some vulgar mechanic that spoke the Irish language, in order to enlist their flattered vanity and complimented national prejudices under the standard of apostacy. But the vigilance and piety of Dr. O'Reilly aided by divine Providence and the goodness of his cause defeated all his efforts; and after a conflict of more than ten years, the Catholic archbishop had the consolation of witnessing that his efforts were successful; the number of his flock multiplied, the number of his chapels or places of assembly enlarged, and the majority of conversions entirely on his side.\* There is even some reason to believe, that among these he reckoned some, either the children or relatives of former Protestant bishops, and it is quite certain that some of the descendants of primate Ussher himself returned to the bosom of the Catholic Church in later times.

The apostolical labors of our pious archbishop were interrupted, just when Ussher and his crusaders had retired in despair from the contest, by the war of 1641; and he was compelled to exchange his peaceful retirement, for a more conspicuous but a more arduous position in the councils of the nation. Since 1637, the Puritans of Scotland were in arms against their king; in 1639, they invaded England, and a large proportion of the parliament as well as the people were more disposed to receive them as brothers, and to supply them with money and arms under various pretences, than to defend their sovereign. Lord Strafford, the Lord Lieutenant, had collected in Ireland an army of 9000 men, 8000 of whom were Catholics. But though the king, as well as he, knew that but little reliance at that time could be placed on the English troops, yet so fettered was his just prerogative, and so violent was the parliament against the Catholics, that he dared not allow Strafford to lead these troops against the rebels. In 1640, the parliament that disgraced England by the murder of its king is assembled, and they instantly prepare to abolish the constitution. For that purpose, Lord Strafford, the generalissimo of the army, the prime minister of England and viceroy of Ireland, and the principal support of the monarch, is beheaded, the same fate is prepared for Laud, the archbishop of Canterbury, the king is left but the delusive appearance of personal liberty or royal power, and the parliament delegates perpetuated by law its own tyrannical and usurped authority. Still the king dares not call upon the faithful Irish, and they in turn scruple to take arms without his commission. The Puritan parliament knew

\* De Burgo, Hib. Dom. p. 637, 648. Strafford's State Letters, vol. 1, p. 254, (only by a weak influence.)

the feelings of both, and take their measures accordingly. They employ their royal puppet to weaken the power of the Catholics, and then they themselves provoke them to insurrection. The Catholic officers are disgracefully dismissed from the English army; the Irish catholic army is disbanded, Lord Dillon is deprived of the power of the Lord Justiceship, and a violent Puritan\* on whom the rebels could rely, is put in his place. In a word the whole power of the state is put into the hands of the partizans of rebellion. Then an application was made to deprive English Catholics of two thirds of their property, and several of their clergy were hanged; the Irish Catholics were threatened with total extirpation.† Sir John Clothworthy, and the infamous Pym, the leaders of the Puritan party in parliament, announced that "they would not leave a priest in Ireland," and that "Irish papists were to be converted only by the bible in one hand, and the sword in the other." To the like effect, continues Carte,‡ Sir William Parsons, (one of the Lord Justices) positively asserted before many witnesses, at a public entertainment, that within a twelve-month, no Catholic should be seen in Ireland." And Dr. Warner§ says, "they (he and his brother Lord Justices) hoped for an extirpation, not of the meer Irish only, but of all the old English families also, whatever Roman Catholics."

A letter was intercepted coming from Scotland to Antrim, stating, "that a covenanting army was ready to come for Ireland, under the command of General Leslie, to extirpate the Roman Catholics of Ulster, and leave the Scots sole possessors of that province, and that it was resolved to lay heavy fines, on all such as would not attend their kirk, for the first and second Sundays, and on failure, the third, to hang at their own doors, without mercy, all such as were obstinate."¶ Letters of similar import from Lord Essex the commander in chief of the rebel forces to Sir William Parsons, and from other English leaders to their Irish partizans, fell into the possession of the Catholics.¶ In these it was stated, "that after the monarchy had been abolished, a different form of government would be established, and that as many of the Irish papists as did not renounce their religion and embrace the covenant, should be transported to the West Indies, in order to make room and estates for new Scottish planters."\*\*\* But I am again straying from the Archbishop. In the circumstances described, some few of the Ulster nobility combined together for the protection of their lives and property, for they were more recently plundered, and now again were more exposed to danger, than those of the other provinces. Their

\* Sir William Parsons. † Reliq. Sacrae Carolinæ, p. 273. ‡ Carte's Ormond, vol. 1, p. 235.

§ Warner's History of the Irish rebellion. || Carte's Ormond, vol. 1. p. 160.

¶ Carte's Ormond, vol. 1, 160.

\*\* Burgo, Hib. Dom. p. 648-9.

design, though formed in his diocese, had been studiously concealed from the primate, and the clergy generally, but two or three ecclesiastics having been admitted to the secret.”\* Imminent as appeared the necessity of choosing between self-defence, and the loss of property, liberty, and life, the clergy, and a large portion of the Catholic laity were known to be averse, through an enthusiastic loyalty to the king, to the taking up of arms without his commission. To remove these scruples, when the matter could be no longer concealed, Sir Phelim O’Neil, on the eve of the intended rising, surprised the castle of Charlemont, and finding there an old patent or charter, he tore from it the great seal, and so ingeniously affixed it to a royal commission previously forged, that the fraud could not be discovered at least by ordinary inspection.† This document called on the Irish in the king’s name to arm themselves in his defence against his and their enemies, and appointed Sir Phelim to the command of their army. On Saturday, the 23rd October, 1641, they first assemble in arms, the comparative fewness of their number, and the inadequacy of their appointments clearly proving that but few of the Catholic nobility were previously concerned. O’Neil, on the 5th November, published his commission, (which was believed by both his friends and enemies, to be genuine till the period of his death,) and thereby enlarged his host. Several, however, even in Ulster, continued to hesitate, till the slaughter in the Island Magee convinced them that extirpation was not merely a threat; till the English Catholics of the Pale were outrageously insulted by the parliamentary lords justices; till the Catholics of the other three provinces in a state of perfect quiet, were proclaimed rebels; till orders were given to the Puritan army to shew no mercy to the clergy; till the royalists of the Pale were incarcerated or disarmed, and refused protection against the one army or the other; till in a word, the parliamentary agents left no alternative to the Catholics, but to defend themselves and their king.

Then it was after the lapse of several months, that the various counties united, took possession in the king’s name of most of the towns and fortresses, and forced the Scottish army of 40,000 men to retire into the more strongly fortified garrisons.

In the early part of the year 1642, Dr. O’Reilly convoked a synod of the bishops in his province in order to consult together, and decide on the legality or illegality of the war. It was a question that presented at this period but little difficulty. They met at Kells on the 22nd March; war was declared not only lawful but pious, as being undertaken for their king, their country, and their religion; the country was called on to join, but at the same time, it was declared sinful to join in it from motives of avarice, disaffection, or private re-

\* Carte’s Ormond, Vol. 1.  
in 1652.

† This he declared at his execution in

venge; and excommunication was denounced against all who should be guilty of plunder or murder. The Primate assisted in May of the same year at the national assembly held at Kilkenny, whither the bishops and Catholic nobility and gentry had repaired by common appointment. Here again the question of the legality of the war was submitted to a meeting of the clergy, and the decision was the same as before. Their decree, dated May 12th, 1642, states, that "whereas the war is undertaken for the preservation of our sovereign King Charles, and his just rights and prerogative, for the defence of our most serene Queen and the royal progeny, for the defence of the Catholic religion, the protection of our lives and fortunes, and the just and lawful immunities and liberty of this nation against unjust oppressors and invaders, especially the Puritans; we judge it on the part of the Catholic side to be lawful and just."\* They add, that if persons either undertake the war, or in the prosecution thereof indulge avarice, hatred revenge, or any other sinister motive, they sin grievously, and deserve to incur spiritual censure. In another article they excommunicate all such as shall plunder, murder, or grievously assault any Catholic or *Protestant* not engaged in war against them, and command the generals to prevent these offences, and to punish severely the transgressors of this decree.† This assembly also resolved on holding a general assembly of the peers, spiritual and temporal, and the gentry of all Ireland, and gave public notice thereof. Dr. O'Reilly, with most of the Irish prelates attended this assembly, which held its sittings in Kilkenny, from November 14th, 1642, till 9th January, 1643.‡ The whole power of the state under the king was vested by this national congregation in a supreme council, consisting of twenty-four members, six from each of the provinces, and Dr. O'Reilly was at the head of the six selected from Ulster.§ However, as nine of the members constituted a quorum, and could act in the name of the entire, the venerable primate, it would appear, returned very soon to his diocese, to take charge of the spiritual interests of his flock, leaving the management of the civil and military operations of the Catholic body to the lay members of the council, and such of his ecclesiastical colleagues as were now politically inclined. To this inference I am led by the fact, that his name appears not to any of the numerous acts of the supreme council, nor to any other document drawn up at Kilkenny or

\* Hib. Dom. p. 648. † See this and the other articles of this congregation in Borlase's Hist. of the Irish Rebel. p. 122, and in Dr. Curry's History, Memoirs of the Irish Rebel. p. 236.

‡ Ware's Gesta Hibern. ad annum, 1642. Hib. Dom. &c., &c. § In this capacity he signed the commission, appointing Francis Oliver, Esq., Captain of the ship, St. Michael, by authority of supreme council. The deed is dated, Kilkenny, December, 31st, 1642, it appears in a pamphlet, printed in 1643.

its neighbourhood, between the beginning of 1643 and the year 1648. Even so late as august 12th, 1646, we find that he had not returned to the south, and that at the synod held at Waterford on that day, he was represented by a proxy, Edmund O'Teigh. But before he left Kilkenny in 1643, he subscribed the oath of confederate association, which expressed unalterable loyalty to the king, &c., &c., in these words, "I. A. B. in the presence of Almighty God and his angels and saints, swear that I will defend, with the peril of my fortune and even of my life, the liberty of the Catholic Apostolic and Roman faith, the person, heirs and rights of our most serene king Charles, as also the immunities and liberties of this nation, against all usurpers and invaders thereof whatsoever, so help me, &c."

While the Catholics continued united, the most splendid success every where attended their arms. The glorious victory of Benburb in 1646,\* where Owen Roe O'Neil, with 5,500 men totally cut to pieces General Monroe's Scotch army of 6,000 foot and 800 horse left them the undisputed masters of Ulster, the strong hold of the rebels. But when through the bigotry and treachery of Ormonde, the opposition to Rinuccini, and the timidity or selfishness of the Catholics of the Pale, disastrous dissension arose and spread through the confederate body, their affairs instantly began to decline. In these circumstances it would seem, Dr. O'Reilly returned to Kilkenny, and placed himself at the head of those bishops, who although they disapproved of the cowardly betrayal of the interests of religion by the supreme council, yet would not concur in the strong measures of the nuncio. He opposed, (April 23rd, 1648,) with the nuncio, and at least, thirteen other bishops, the articles of cessation of arms proposed by Lord Inchiquin, after his desertion of the rebel party, and it is said the articles were somewhat modified in consequence;† but he did not concur in the excommunication fulminated by Rinuccini, &c., four other bishops on the following 27th of May, against the supreme council and the approvers of the cessation. He presided at an episcopal meeting in Cashel,‡ where the terms and expediency of this truce were considered. I have not been able to discover whether he was among the bishops who attended the general assembly of the nation, held on the 4th September, 1648, which, relying on the appeal to the pope put in by the supreme council against the nuncio's excommunication ratified the cessation, and approved and confirmed all the acts of the council; nor whether he were one of the two archbishops and ten bishops, who assisted at the meeting which concluded the peace of thirty-five articles with Ormond, on 17th January, 1649.§ At all events, his name does not appear to

\* M'Geoghegan, Stewart's Hist. Mem. Borlase's Hist. &c.

† Philopater Ireneus, c. 9, p. 94. Carve, p. 347, Hib. Dom. p. 674.

‡ Jus Prim. Arm. n. 27, Columbanus.  
Hib. Dom. 688, 86.

§ Philopater Ireneus, p. 178,



any of the numerous acts, of the nuncio and his party, after the open rupture between him and the council. His subsequent conduct, and the persons with whom he acted, would warrant the conjecture, that he abstained from openly opposing the nuncio, only through a respect for his legatine character, and a prudent attention to the opinions of his party, which was chiefly in Ulster.

The nuncio, John Baptist Rinuccini, archbishop and prince of Fermo, had originally landed in Ireland, in Kenmare Bay, on the 22nd October, 1645, and joined the supreme council at Kilkenny, on the 12th November. After precisely three years residence here, the supreme council ordered him to quit the kingdom, and the people of Galway, whether he had retired from Kilkenny, to hold no commerce or communication with him.\* This order was dated about the 21st October, 1648, and he set sail from Galway in four months after, on the 22nd February, 1649. The Catholics had proclaimed after the murder of Charles I. in all their cities, his son as their king,† under the title of Charles II. and he in turn, ratified the peace between them and Ormond. But though the parliamentary proclamations for the suppression of episcopacy, and the abolition of the English Church and religion, had caused a large accession of rebels to the ranks of the Irish Protestant Royalists, and though they were now at peace, and acted in concert with the Catholic army, yet the rebels every where prevailed, and Cromwell's fiendish troops spread havoc and slaughter through the desolated east and south of Ireland. During the following winter, Dr. O'Reilly and nineteen other archbishops and bishops assembled in synod at Clonmacnoise, on the 4th December, 1649, and exhorted the people and soldiery to persevere in "the just war they had undertaken, for their religion, their king, and their country."‡ At the request of Ormond, twenty-four bishops with the primate at their head, also met at Loughrea for a similar purpose, in March and April, 1650. He likewise presided at the episcopal assembly, held in the Franciscan Convent of James's-town, County Leitrim, on 6th August, 1650, and several following days.§ In the session, held on the 11th August, this assembly appointed six commissioners, whom they invested with full powers to transact all business appertaining to the religion and welfare of the nation and the royal cause. The commissioners were, Hugh O'Reilly, archbishop of Armagh, the archbishops of Dublin and Tuam, and the bishops of Leighlin, Clonmacnoise, and Down; and the town of Galway was selected as the place of their residence, for Connaught was the only province in which the Catholics had

\* Philopater Irencus, L. 1, c. 16, p. 148. Thom Carve p. 348, Hib. Dom. p. 681.

† Ware's Gesta Hibern. 1648, Hib. Dom. p. 691. ‡ Hib. Dom. ibid. Curry's Hist. Mem. p. 145, and Borlase's, Hist. &c. p. 296.

§ Carte, vol. 2, p. 129. Hib. Dom. p. 692, Temple, p. 328.

now any considerable power. However, the primate appears to have remained but a very short time in Galway; for, in several deeds of the committee, (such as the document, dated Galway, October 5th, 1650, empowering the bishop and recorder of Wexford, to act as their procurators, the credential letters appointing the same bishop and Sir James Preston, ambassadors to the Duke of Lorraine, on the the 7th April, 1651, &c., &c.) I find the primate's signature affixed only by proxy.\* I also find no vestige of his having assisted at the general assembly held in Galway, in March, 1651, nor any reference to him in the various epistles between the Lord Deputy Clanrickarde, and the archbishop of Tuam, the organ of that assembly.

After leaving Galway, the primate full of merit and days, returned to his diocese, to console his scattered people, to provide for their spiritual wants, and to prepare for his approaching dissolution. The calumnies with which Stewart† asperses the character of this amiable, learned, and pious Prelate, deserve an indulgent refutation, because they seem to have proceeded from his ignorance, rather than malice. He says that Cox, on the authority of Peter Walsh, charges him with ordering public prayers for the protector, &c. &c., with saying he never liked Charles II., James II., &c. &c. But the truth is, that Walsh says no such thing; Walsh tells these things, but does not appear to believe these "reports," he tells them not of the primate but of a Leinster priest, who lived in his time, and that priest had no connection with our archbishop, but the common surname O'Reilly. In fine these reports refer to events that did not occur for several years after the death of Dr. Hugh O'Reilly, and even then, took place in England where he had not been for at least thirty years before.‡

After witnessing the restoration of the Catholic religion, and its public establishment in Ireland, for five or six years,§ Dr. O'Reilly was obliged in the end of his days to fly from Cromwellian Puritan persecution, to one of those haunts which formerly sheltered him, when bishop of Kilmore, from the pursuit of the Episcopalian Protestants, who by a just retribution were now persecuted themselves. A small Island in Lough Erne, called Trinity Island, was the place of his retreat. Here he passed the last months of his existence, and here he resigned his soul into the hands of his Creator, on the 7th July, 1651. His remains were interred in the church of Cavan, commonly called Annagellion, from the name of its founder Gelasius O'Reilly, one of his ancestors.||

\* Hib. Dom. p. 693, 700. † Histor. Memoirs of Armagh. c. 20. p. 354.

‡ See Walsh's Hist. of Remonstrance p. 609.-10. § De Burgo Hib. Dom. p. 648.

|| I am indebted for these latter circumstances to a manuscript note in Dr. O'Plunkett's Jus primatiale. Dr. N. French, De Burgo, and others, tell us he died in his "native country," but the precise date and place of his decease, appear to

[Dr. O'Reilly made a munificent disposal of the revenues and patronage which the temporary ascendancy of the Catholics placed in his hands. To him, principally, Irish history owes the publication of Colgan's copious learned lives of the national saints. To him Colgan dedicated it, and declared, not in the false language of the dedications of that day, but in very truth, that the venerable primate could be truly styled its author. It was he, that by repeated encouragement, animated the Catholic scholars to collect the materials, and to arrange and illustrate them. By his example and advice they received the patronage of other powerful supporters; and by his own liberal contributions he facilitated the publication, which in the troubled state of the times, and the more pressing calls on Catholic liberality in the general perils of the nation, would have been otherwise impossible. Neither these anxieties, nor the duties of his primacy so faithfully discharged, even diverted his thoughts from the great national undertaking, which was destined to preserve the glories of that beloved country, and religion, whose liberties and political rights were then on the eve of destruction. It was conduct, as Colgan observes, worthy of the successor of St. Patrick, worthy of a line of illustrious ancestors, distinguished for their fidelity to the Catholic faith; worthy of the family that could claim kindred with many of the most famous patron saints of Ireland. Among his other claims on Colgan, was his kindness on all occasions to the Franciscan order, which, in the reign of Elizabeth, had borne away the palm from all the clergy, secular and regular by the number of its martyrs, and which was now not less eminent by the number of its scholars devoted to national literature. In conclusion of the dedication, he breathes a prayer which was not to be fulfilled before centuries of bondage, that the primate might see the returning of those golden days predicted by all the Irish prophets, when Ireland once more would be the wonder of the earth: "*aurea illa sæcula tot sacrorum vatum nostræ gentis vaticiniis prædicta—quibus sacra nostra insula, sanctorum fœcunda genitrix, cœlestibus oraculis prædicatur, suam pristinam sanctitatem recuperatura.*" Dedication of *Acta Sanctorum Hiberniæ*.]

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#### EDMOND O'REILLY.

AFTER the death of Dr. Hugh O'Reilly the primatial chair remained vacant for more than one year, and was then filled by another clergy-

have been unknown to them. Dr. Plunkett remarks that he died in the Co. of Cavan. But a note on this passage in manuscript, (which I should consider very ancient, if it did not very much resemble the hand-writing of Dr. Carpenter, Archbishop of Dublin, in whose possession my copy once was,) observes, "he lived and died in Trinity Island, but was buried in Cavan, in the church of Gelasius Reylu." Another note in the margin, dates his death July 7th, 1650, but the year is certainly mistaken.

man of the same name, but of a different family. He had the misfortune to find in a personal, political, and religious enemy, the only historian that has left any considerably detailed narrative of his life. He concurred in the excommunication of Father Peter Walsh, the Franciscan; he manfully opposed the cringing sycophancy of that Friar's politics, and set himself up as a wall of brass against his schismatical innovations, even at the peril of his life.\* It would be unreasonable to expect from so vindictive a writer as Walsh, an impartial biography of so decided an opponent. But in following his authority,† if many of the primate's virtues are suppressed, yet those which appear in the facts he relates, or shine through the ill-wrought veil of his clumsy slander, receive additional lustre and certainty. Indeed it is no small eulogy of our primate, that the tooth of even Walsh's revenge could find no point in his moral or religious character on which to fasten.

The most Rev. Edmond O'Reilly was born in the diocese of Dublin, about the year 1606, and after having completed a course of studies in philosophy, and a limited portion of theology, he was ordained a priest, and after some little time, appointed to the government of a parish in his native diocese.‡ It appears not improbable that he received his ecclesiastical education in the college established in Dame-street by the Catholics, and that the suppression of that seminary by the government in 1629, was the cause of the abridgment of his theological studies. Whatever was the cause, he, at least, deeply regretted the effect, and anxiously awaited an opportunity of resigning his parish, and proceeding to some foreign university, in order to extend his information, and qualify himself more perfectly for the discharge of his arduous duties. His archbishop, Dr. Fleming, saw that his strong natural talents deserved cultivation, for he was at this time, to use the words of Dr. O. Plunkett, "a man of a good mother wit, but no extraordinary learning."§

Obtaining at length his superiors permission, he repaired to the University of Louvain about the year 1633,|| and residing in the Irish secular college, he devoted himself for seven years with great assiduity to the study of the sacred scriptures and moral divinity, under the Jesuits, and of canon law under the Franciscans. Here his piety and ecclesiastical decorum soon attracted the esteem of his superiors, who after some time, convinced also of his prudence and zeal for collegiate discipline, appointed him prefect of the col-

\* This will appear more fully in the course of Dr. O'Reilly's history.

† The work of Walsh's from which the facts here recorded, are principally taken, is his History of the Irish Remonstrance.

‡ Walsh's Hist. of Remonst. p. 608. The year of his nativity is deduced only by inference from Columbanus.

§ Jus. Primatiale. p. 30.

|| Columbanus' Histor. Address, p. 1, Walsh's Hist. of Rem. p. 608, says he was in 1636, "somewhat elderly."

lege of Irish secular ecclesiastics, wherein he resided. But he was honored in an especial manner, by the affectionate friendship and confidential intimacy of the Honorable and Rev. Thomas Fleming, (the eldest son and heir of Lord Slane,) who, renouncing the pleasures of earth, had exchanged the titles and estates of this world for the cloyster here and the "hundred-fold hereafter," and was now professor of divinity in the Franciscan college of St. Anthony of Padua, at Louvain. It was here also, and through this saintly professor that Mr. O'Reilly became first acquainted with Peter Walsh, the Franciscan. But they were men of opposite dispositions, not likely to coalesce. The one prefect of a college, and the confidant of the professors, but particularly of the pious Fleming; the other, his refractory pupil; the one a disciple of the Jesuits in those doctrines of grace, and free will which have since gained such support among all classes of Christians, the other a professed Jansenist, the confidant of Jansenius to whom Walsh dedicated his philosophy Theses, and whose famous Augustinus Walsh boasts of being the first to have read in albis as it came from the press.\* In these circumstances, an acquaintance between two such men, would more naturally produce hostility, than friendship.

The Rev. Mr. O'Reilly returned to Ireland in 1641, bringing with him testimonial letters of the strongest description from the university. But the Hon. and Rev. F. Fleming thought it his duty to write, moreover privately to his uncle the archbishop of Dublin, and zealously recommended to his Grace's esteem and protection, the piety and abilities of his subject O'Reilly. He again zealously applied himself to the laborious functions of a parish priest in the salvation of souls, and was, in a few months, appointed by Dr. Fleming, vicar general of the diocese.† The labor and responsibility of his new dignity were increased the following year, 1642, when the archbishop of Dublin being appointed a member of the supreme council, and fixing his residence on that account at Kilkenny, the administration of the diocese in spirituals and temporals, was confided entirely to the vicar general O'Reilly, from the year 1642 to 1648.

In this latter year he was deprived of his office of vicar general, if we may credit Peter Walsh, who boasts of having been the principal instrument thereof himself. The matter appears to have happened thus. When Rinuccini and a portion of the clergy had complained that the council of Kilkenny had grossly neglected the interests of religion in the articles of cessation of arms with Inchiquin, and the nuncio had thereupon fulminated sentence of excommunication for perjury against the council and their adherent, the Catholics became divided into two opposite parties; the majority of

\* Walsh's Hist. of Rem. treatise 4, p. 75.  
bannus' Hist. Address, p. 14.

† Walsh, &c., Colum-

the clergy, the people, the province of Ulster, and the Milesian Irish generally, being on the one side: the aristocracy, the dependents or expectants of the court, and the Anglo-Irish on the other. The famous Owen O'Neal espoused the nuncio's cause; Dr. O'Reilly adhered to it also, and was believed to assist O'Neal by his counsel. The opposite party labored to diminish the influence which O'Neal's military bravery, and repeated victories had procured him, with the people, feeling that their existence depended on their success in this point, and that while O'Neal continued unsuspected, he would continue irresistible. In these circumstances a letter was produced in the council, purporting to be written by O'Neal to Colonel Jones, the parliamentary general, and intercepted in its passage to him. Dr. O'Reilly's name was neither mentioned in, nor signed to, the letter. But P. Walsh contended, it was in his handwriting. The archbishop of Dublin was then lodging in the Franciscan Convent of Kilkenny, "which, as well as the Dominican, observed the censures." Walsh resided in the Duke of Ormond's Castle, and from thence he sent the letter to the archbishop, with, of course, his own conclusions thereon, and an appropriate commentary. The consequence was, that Dr. Fleming, either believing, as Walsh says, "it to be Edmund's handwriting," or what his subsequent conduct proves more probable, deeming it prudent to yield for a moment to the storm, in order to avoid odious imputation himself, and appease his vicar's enemies, withdrew his commission from Dr. O'Reilly, and appointed Dr. Laurence Archibold, P.P. of Maynooth, vicar general in his place.

The malignity of his enemies was not, however, as yet satisfied. The following year he was waylaid in the neighbourhood of Dublin, on his return to his own house, by an armed party, with one Scurlog at their head, and narrowly escaped assassination.\*\*

In the beginning of the year 1650, archbishop Fleming restored him to the office of vicar general, thereby declaring solemnly his utter disbelief of the imputations which pensioned calumniators had fastened on his character. These slanders did not assail his moral, but his political conduct; they were not published till after O'Reilly's death when few were interested, and fewer still could dare to contradict them; they were even then put forth only as the "*whisperings*" of Ormond, or mere "*hear say reports*," without pretending to a particle of evidence, and doubted by their very publishers. If O'Reilly had acted disloyally in the affair of Wicklow Castle, the camp at Baggotsrath, &c., Ormond and his other enemies wanted neither the power, nor the will to punish him on the scaffold on which they had murdered many other clergymen of acknowledged innocence. And it is clear, that if such serious charges were but partially believed, or even reported beyond the

\* Walsh's Hist. p. 609.

purlicus of courtly corruption, Dr. O'Reilly, would not, in such times, have been subsequently appointed vicar general of Dublin, or primate of Armagh.

After his re-establishment as vicar general, he persevered in the undisguised profession of the principles for which he had been persecuted. While assisting at the synod of Leinster, held in the woods of Glenmalure, in the County Wicklow, he gave a noble specimen of the apostolic virtue of overcoming evil with good. Peter Walsh had been excommunicated by the synod, and (denounced) for errors in doctrine, schism, and other crimes. Colonel Luke O'Toole understanding that he was lurking in these very woods, prepared a party of horse and foot, to pursue a man whom he considered a spy upon the Catholics, and the fomentor of their discussions, a rebel to the church, and a traitor to his country. Dr. O'Reilly, having learned his design, generously forgot past injuries, exerted every means of changing his purpose, and ceased not to reason, to importune and entreat till he obtained a promise. "He it was, says the ungrateful Walsh,\* who alone dissuaded Colonel Luke O'Toole from his design, and thus saved my life." The following year, (1653,) Dr. O'Reilly was himself apprehended as a popish priest; for, having been summoned as a witness to one of the courts in Dublin, one of the parties feeling that his cause would be injured by his testimony, cried out to the judge, as soon as he ascended the table, to seize him, for that he was Edmund O'Reilly, the popish vicar general. Immediately he was seized and dragged to prison, where he was loaded with chains, and suffered with great fortitude, the most shocking privations. After several months incarceration, the intrepid confessor, "no other cause of guilt being found in him," except his religion, was driven into banishment by virtue of a proclamation of the Cromwellian government, dated the preceding feast of the ephiphany, which commanded all priests, bishops, &c., to quit the kingdom within twenty days, under pain of high treason.† Dr. O'Reilly fled to the Irish College of Lisle, in Flanders, and it was there he received notice that the pope in approbation of his virtues and constancy, had appointed him to the primatial see of Armagh. I have not met with the precise date of this promotion, but think it must have been towards the end of 1654. For he did not leave Ireland till near the end of 1653,‡ and Pope Innocent X., by whom, primates M'Mahon§ and Talbot|| inform us, the appointment was made, died on the 7th January, 1655. Knowing that the Irish Colleges

\* Hist. of Rem. p. 609.

† Hib. Dominicana, p. 704, 705.

‡ Walsh says he was seized in 1653, (the beginning of which he counts from the 25th of March,) hurried to *prison*, suffered much, and was *at length* either banished or licensed to depart to Flanders.

§ Morrison Thren. p. 14. Jus. Prim. Armacanum, p. 190. || Prim. Dublin, p. 59.

in Flanders were beset with English spies, and feeling how much his future safety would be endangered by there being any legal proof of his consecration, Dr. O'Reilly departed privately for Brussels, and was there consecrated in the vestry of the Jesuits Chapel with the utmost secrecy.

At this time, the Catholic Church of Ireland was reduced to a most deplorable condition. "Neither the Israelites, says Morrison, were more cruelly persecuted by Pharaoh, nor the infants by Herod, nor the Christians by Nero, Diocletian, or any other Pagan tyrant, than were the Roman Catholics of Ireland at that juncture." Never did the hosts of hell put forth half such violence, even in Ireland, never did any religion in any country survive so bloody a persecution, or withstand such infernal machinery as were then levelled against the Irish Church. The clergy of every grade and order were driven by the law into perpetual banishment; and if they dared to remain in the kingdom, or return to it again, after the 1st February, 1653, they were condemned to be hanged till half dead, then cut down alive, and beheaded, their heads put upon poles on the highways, and their hearts and entrails publicly burned. A price was set upon their heads, it was the price of a wolf's, and the money was paid when the bloody evidence of murder was delivered. It was then high treason for a Catholic priest to breathe within the realms" as Lord Mansfield expressed himself when expounding the boasted English law, a century afterwards.\* To harbour a priest, to speak to him, not to betray him, nay, to exercise, no matter how privately the Catholic religion, was each a capital crime for which the laity were to be punished with death, and total confiscation of property.† By these and many other such hellish laws, and the still more diabolical machinery that was invented to enforce them, the churches were widowed of their bishops, the people deprived of comfort, instruction, and sacraments, and religion so nearly extirpated from the island, that the despairing tongue faltered while it said, "if God be with us, who can prevail against us," "there is no council against the Lord."

In 1649, and for some years before, the Irish hierarchy was in a much more flourishing condition than at any period since the English schism. The sees were all filled up, except Derry and Kildare, the parishes were supplied with zealous and learned pastors, the convents were re-established, and their crowded choirs poured forth in unceasing peals, the canticle of praise and benediction to the Lord. The prelacy consisted of four archbishops, and twenty-three suffragans, viz:—eight in the province of Armagh, and as many more in Cashel,

\* See his speech on the trial of Mr. Webb, June 1768, in the life of Right Rev. Dr. Challoner, p. 145.

† Hib. Dom. p. 607. Carte, vol. 2, Leland II. M'Geoghegan.



three in Dublin, and four in Connaught.\* All of these resided in their dioceses with undisturbed security, and publicly performed the rites of religion; many enjoyed the cathedrals and lands with which their Catholic ancestors endowed the sees, for the support of Catholic bishops. The parochial churches and glebes were restored to the Catholic clergy, the male and female religious recovered their convents and a remnant of their ancient inheritance, and the peace of 1648 with Ormond and the king, stipulated that the Catholic church should permanently enjoy, at least what it then possessed.† Such was the state of the church in 1649. The Catholic religion was not only what it always continued, the religion of the nation, but also what it, on that account, ought ever to have been the national, the established religion. But how reversed was the scene in 1654, when Dr. O'Reilly was consecrated!! Three of the bishops, and more than 300 of the clergy, had already been put to death for the faith; all the surviving bishops, but one, and upwards of 1,000 priests were banished for ever from their country, some were allowed to seek exile in the kingdoms of Europe, but many hundreds were stowed in crazy ships, treated with ignominious cruelty, and transported to Barbadoes and other Isles of the west Indies.‡ The friars were expelled from their convents, and obliged to fly; of 600 Dominicans scarcely one remained;§ the more numerous Franciscans, the Augustinians, &c., &c., were also gone, nay, even the nuns were turned out into the woods, or banished to some distant land. But one bishop remained,|| and he was old, decrepid, and bedridden, and to his inability alone to discharge any episcopal function he owed the privilege of dying in the land of his fathers. There remained also, a portion of the parochial clergy, who, whenever their functions were to be exercised, nobly braved the axe and the gibbet; and who, when the sinner was reconciled to God or the departing soul prepared for heaven, sought a hiding place in the forest, or sheltered themselves in caverns and morasses from the bloodscent of spies and priestcatchers. They did not, however, always escape. Even after the restoration of Charles II., when persecution relaxed its fury, not less than a 120 of these heroic confessors were sometimes crowded into the same loathsome gaol to pine away and starve together.¶ In this state did things continue till 1661, and with very little variation till 1669. The old bishop of Kilmore still continued to struggle in the arms of death; the archbishop of Tuam returned in 1662, to die along with him,

\* MS. Memoir of the state of the Irish Church, written in 1667, *penes me*, Dr French, in Hib. Dom. 499.

† Philopater lib. 1, p. 165. Hib. Dom. p. 686.

‡ MS. Memoir of the Irish Church. Hib. Dom.

§ Hib. Dom. p. 525, 116, &c. || MS. Memoir—Walsh's Hist. of Rem. passim.

¶ Fasti Dublinenses in Whitelaw and Walsh's Hist. Dublin, vol. 1.

being then eighty years of age, and disabled by repeated attacks of paralysis. The provinces of Leinster and Munster were totally bereft of their bishops for sixteen years, and, like Connaught, had each, for the latter half of the time but one prelate surviving, even in banishment. From the year, 1652, to the year 1655, neither the sacrament of confirmation nor of holy orders was conferred in Ireland, yet there were in the latter year, about 1,100 secular priests on the Irish mission,\* but the bishop of Ardagh having returned in 1665, the number of priests was doubled in the course of six or seven years, although until the year, 1669, the period of Dr. O'Reilly's death, the Irish prelacy could count only three bishops in Ireland, and three in involuntary exile.

Violent as was the fury of the Cromwellian persecution, its terrors did not frighten the new primate from visiting his desolated flock. But the difficulty was how to make good his journey to Ireland without being discovered. A favorable opportunity was for some time waited for; but none occurring, he set out from Brussels for Lisle, and making there no long delay, came from Lisle to Calais. Here he was introduced by the exiled bishop of Dromore to Cardinal Mazarine, the French Minister, who gave him some pecuniary aid and procured him a safe voyage to London, where he arrived in 1658. But although the Cardinal strongly recommended him to several noblemen of the highest influence, and entreated for him the protection of the English ministers, yet he was obliged to conceal himself in cells and garrets, and it was in one of these retreats that he said Mass and administered Confirmation, and the other Sacraments to a multitude of Irishmen then in London, having previously obtained the necessary permission of the English archpriest, Dr. Knightly.† After about six weeks stay in London, he met the schismatical friar P. Walsh. The primate supposing that he had no longer any motive for preserving in his obduracy, exerted all his zeal to affect his conversion, and promised to absolve him from the excommunication he had incurred, as soon as he should repent. His exhortations on this subject were frequently repeated, and always with great unction, condescension, and mildness. The result was, that besides whatever occurred in the sacred tribunal, the primate publicly restored him to the communion of the church, Walsh "*kneeling before the altar in his own house,*" while the primate pronounced the solemn words of absolution over him. Such is the account given of this transaction by Walsh himself.‡ But after the return of his master Ormonde to power, or the exile or death of Dr. O'Reilly, he relapsed again, and even boasted that he had never repented, and that the absolution was given as above in spite of him.

\* Walsh Hist. Remonst. p. 574, 575, &c., also the MS. memoir cited before.

† Walsh, &c., 609, 610.

§ Walsh ibidem.

This clumsy and slanderous fabrication was, however, believed by no person, and was indignantly denied by the primate. Walsh's general reputation for intrigue and fabrication left but little credibility to his story. The interest that he had in convincing Ormonde and his party that he had not in their absence changed his principles, while on the other hand, Dr. O'Reilly's character, for veracity and straightforwardness, the extreme improbability that he would without *any possible inducement* so grossly *profane* his spiritual powers, though select *Walsh's own house* for *forcibly absolving* him while Walsh remained patiently and piously "*on his knees before the altar,*" in a word, every circumstance of intrinsic or extrinsic evidence convicted the fabricated tale of absurdity and falsehood.

At all events, Dr. O'Reilly soon felt to his cost, that Walsh had not more influence formerly with the ministers of the King in Ireland, than he had now with his murderers in England, and that the only return he had to receive for his trouble, was the exertion of that influence, in depriving him of his friends, and procuring his banishment. He had been accompanied to London by two priests, whom Walsh calls Father T. T. and Father N. B. initials which I am unable at present to decipher. These worthy men "*were told,*" and not knowing their informant's character, were made to believe that the primate had slighted both, and deceived one of them in a matter of grave importance. The consequence was, a silent dissatisfaction, and an almost total separation. Soon after, however, the bishop having learned by some accident the cause of discontent, and an explanation having been obtained, he at once fully convinced them that the supposed recommendations to the holy see had never been made, and that the story was, as Walsh confesses and the event proved, totally without foundation. Finding that they had been maliciously imposed upon, the primate and his companions became grievously dissatisfied, and "quarrelled with Walsh;" no obscure indication that he was the incendiary between them. But he soon took ample revenge. While the primate and his friends were preparing to continue their journey to Ireland and their minds filled with dreams of success, Walsh was whispering in the court of Cromwell, and at length obtained an order from the minister of state for their banishment. "They were all three he says, ordered on a sudden, when they least expected it, to quit the country for France *instantly.*" Who could expect that *he* who confesses himself the *sole* author\* of this persecution by his Machiavelian intrigue with the *minister*, should in the same page charge O'Reilly with being the friend of Cromwell, and the enemy of Cromwell's rival. While the tyrant reigned, Walsh represented O'Reilly as the friend, the spy or emissary of the king: when the king was restored to power, he, to cover his own treason, and gra-

\* Walsh's Hist. of Remons, p. 610.

tify personal enmity, represented him as the ardent inveterate advocate of the deceased tyrant.

Dr. O'Reilly was obliged to fly to France, but soon afterwards his unceasing zeal made out an opportunity of effecting his long-wished for visit to Ireland. He sailed directly from France, and notwithstanding the penal laws, and his personal proscription, arrived safely in his province of Armagh, in the year 1659. Here he labored with great zeal and effect, for a year and a half; and travelling in disguise under a fictitious name and character, he visited every part of the province, and almost of the kingdom instructing, reforming, and consoling his afflicted flock, and administering the sacraments which required episcopal power. About the beginning of 1660, "*some person*" says Walsh,\* (who was most probably that person himself,) wrote secretly to the English court of Charles II., then in the Low countries, representing Dr. O'Reilly as advocating the interests of Cromwell, and animating the Protestants of Ireland to oppose the restoration of Charles II., promising them the full co-operation of the Irish Catholics to that effect. Impudently false as this absurd fabrication would have appeared if known in Ireland, it was believed in Holland, by a prince accustomed to be duped, and on this occasion having no means of detecting the imposture. Don Stephano de Gamarro, the Spanish Ambassador to the Dutch court, is solicited to complain to the pope on the subject, and to request his Holiness, in the king's name, to order the primate to withdraw from Ireland. The application was made immediately before the king left Holland for England; the requested order was received in England the following autumn.†

In the mean time, Dr. O'Reilly, who knew nothing of the storm excited, and now ready to burst upon him, was laboring in the ministry, exulting with joy, as were all his people, at the restoration of the king, for whose cause they had suffered; and expecting every day that the excessive loyalty which made them fight for Charles, even for four years after every other part of the empire had submitted to Cromwell, as it had provoked the usurper's greater severity, so would now be rewarded with proportionate favor. An address of loyalty and congratulation was prepared, and Walsh being selected, as a clever insinuating politician, and a man who had friends at court, to present the address and manage other matters for the Catholic body, the unsuspecting primate signed the document appointing him the Catholic proxy or proctor. The imperative command of Pope Alexander VII., to the primate, had been some time before this sent over to Walsh from the English court, a fact which connected with several other circumstances, leaves no doubt that it was he who originally suggested it. No sooner, therefore, did

\* Ibidem. † Walsh's Hist. Rem. p. 611.—Dr. Plunkett's *ius primatiale*, p. 31. MS. ut supra.

he receive Dr. O'Reilly's signature to the deed of procuration, than he sent back to him, with characteristic gratitude, the decree for his expatriation. In vain did the archbishop solemnly deny the charge, in vain did he appeal to the testimony of all who knew him, and to public notoriety. He was compelled a third time to quit his country. After arriving in France, he again writes from Roan to Walsh, beseeching him to efface the slanderous impression made on the mind of the ministers, and multiplying the protestations of his innocence, which were as unnecessary as they were fruitless.\* He then went to Rome and remained there till 1655, when he returned back to France; again wrote to Walsh, and on August 31st, to the Lord Lieutenant, Ormonde, soliciting permission to return to his diocese. Walsh was at this time moving heaven and earth to induce the clergy to adopt his famous "Remonstrance." Ormonde also pressed its subscription, not, it was believed, because he attached any importance to it, but because he considered it a suitable wedge for splitting the compact Catholic body into parties and fragments.† Since, however, it had been condemned by some foreign universities, and was generally rejected as heretical, or at least, schismatical by the Irish clergy, since also, it had been subscribed from 1661, only by one bishop, now no more, and sixty-nine priests, fifty-four of whom were friars, it was deemed a matter of the utmost importance to the views both of Ormonde and his pensioner, to enlist the support and influence of the primate in its favor. A national synod of the clergy was summoned to meet in Dublin, June 11th, 1666, and letters were despatched to Dr. O'Reilly, inviting him to attend, about the March or April preceding.

England was at this time at war with France and Holland; but the perils of the journey could not shake the fortitude of the archbishop. The safest route appeared to be through Flanders. But the Internuncio Rospigliosi learning his determination, and knowing the temptations that would beset him in Dublin, wrote to dissuade him from continuing his journey, lest he should countenance the "Valesian formulary." So important indeed did the Internuncio deem this point, that he wrote also to Martin, bishop of Ypres, enclosing a copy of the letter, and requesting him to make out O'Reilly, and deliver the enclosure to him. The primate received these letters, but yet delayed not a moment. He passed from Flanders to London, and thence through Chester to Dublin, where he arrived on

\* "Wait there for three years," was the answer his Grace received from the impudent luxurious friar.

† Ormonde himself explains his motive and object in a letter to his son, Lord Arran, dated, December 29th, 1680, "my aim, says he, was to work a division amongst the Romish clergy, and I believe, I had compassed it to the great security of the Government and the Protestants." See Carte, vol. 3. Plowden, 1, p. 34.

the 12th June, 1666, being the 2nd day of the national congregation. The English Lord Chancellor had already learned his arrival in England, and immediately despatched an express to Ormonde, informing him that O'Reilly was travelling incognito to Ireland, and directing his Excellency to secure his apprehension. It is worthy of remark as illustrative of the vigilant *espionage* then practised over the Catholic Clergy, that this despatch was brought to Dublin by the very same packet in which O'Reilly travelled.\*

The situation in which the primate now stood, was of a peculiarly trying character. On perusing the declaration of principles and allegiance, called the Remonstrance, proposed for their own purposes by Ormonde, through his creature, Walsh, he found it so captious, and ambiguous in expression; and in sentiment, so temerarious, and so nearly resembling heresy, that he could not conscientiously support it. It pledged its subscribers to swear to speculative opinions which were uncertain, if not false; and if not erroneous, at least not commonly adopted; it encroached on the prerogative of the universal church in defining articles of faith; and its object, he thought, was dissension, and its tendency, schism. On the other hand, he knew very well, his temporal happiness, his liberty, nay, perhaps, his life depended on its adoption. But Dr. O'Reilly was not "a reed shaken by the wind," he was not a "man clothed in soft garments," nor versed in that *finesse* and pliancy which prevail in the "palaces of kings" he knew not how to temporize; but he knew how to contend and "suffer for justice sake." At once, therefore, he boldly opposed, in the congregation, the "Valesian Remonstrance;" but at the same time, supported warmly another declaration which fully expressed the strongest allegiance, emphatically renounced the objectionable doctrines imputed to Catholics, but abstained from pronouncing on dubious and disputed opinions which had no connexion with their political relation to the king or their civil relation to their Protestant fellow subjects, such as the superiority of councils over the pope, &c.

His support of the latter, however, gave as much offence to the court, as his rejection of the former formulary. Walsh flies to the castle, and complains to Ormonde that very night as he tells us himself. O'Reilly is summoned to the castle before the lord lieutenant. Here all the artifices of that crafty and intriguing statesman are exhausted in endeavouring to seduce O'Reilly, or at least, silence his opposition. In an address of considerable ingenuity, he at first sharply rebukes the primate, then throws before his imagination vague insinuations about secret accusations, grievous offences against the state privately informed of, and terrific innuendoes about their punishment: bids him, however, to speculate upon the favor, and to merit by loyal compliance, the gracious bounty of

\* Walsh's Hist. &c., p. 612.

the crown, but again reminds him of the power of the government, and the rigorous severity of the laws, in case he should persist in undutiful opposition. But the primate's conscience reproached him with no offence that merited punishment, and as to the sham plots and unjust persecution then so prevalent, he dreaded them as little as he courted the corrupting bounty of the crown. He therefore returned the day after to the national congregation, and firmly resisted every attempt to corrupt the faith or discipline of the Irish Church.

The national congregation, after having unanimously rejected the Valesian Remonstrance, was dissolved on Monday, the 25th of June, 1666: and on that very day, the Duke of Ormonde gave an order from the castle, for arresting *all* the bishops that attended its sessions. The prelates had all been invited and pressed to this assembly by Ormonde himself; they had refused to come to Dublin, on account of the penal laws and the consequent danger to their liberty and lives, and they persisted in this determination until Ormonde as lord lieutenant gave them a passport, and pledged himself in writing that they should enjoy perfect security and liberty in coming to Dublin, in their deliberations there, and in returning therefrom. The bishop of Kilfenora placing no great reliance on the veracity or justice of Ormonde privately fled from the city, the very moment the synod was dissolved and thus escaped the execution of the order. The other prelates who had formed a higher estimate of his honor, or had less knowledge of his character remained in town, and were laid under arrest that very evening.\*

It was, however, deemed advisable to find some pretext for this nefarious violation of public faith. Ormonde at first pretended, that it was done only with the view of detaining them in town till he should be at leisure to rebuke them for their undutiful proceedings; yet the primate remained three months† a prisoner, and Ormonde never once spoke to him. This pretext being published, every effort was made to find some ground of accusation against O'Reilly. Being allowed to live at his own lodgings, and walk within the confines of the city, several attempts were made by, it would appear, hireling spies to cajole him outside his limits into the adjacent fields; but the primate knowing that his doing so would be construed into a breach of imprisonment, always avoided the snare. This scheme having failed, a plot, that would disgrace Machiavelli, was hatched, with the view either of forcing him to fly from the terror of an ignominious death into voluntary banishment,

\* Walsh's Hist. &c., p. 744.  
 † From 25th June, to 27th September. Walsh says it was but a few weeks, and insinuates that it was not more than four or five; but that date of his arrest is attested by Walsh himself, and the date of his banishment by Ware, Whitelaw and Walsh's *Fasti Dublinenses*, Carte, &c. &c.

The story throws too much light on the character of Ormonde, and his creatures to be omitted; besides that it amply refutes that calumnious imputations charged on O'Reilly's character after his death. Peter Walsh, the chief of these calumniators, relying on the credulity of his readers, gravely relates the transaction substantially as follows:— \*

When Dr. O'Reilly had been about a fortnight under arrest, and confident of his own innocence, did not avail himself of the opportunities afforded him of effecting his escape, the Duke of Ormonde called Walsh aside one day, and told him that he had a charge against O'Reilly, of which Walsh heard nothing as yet. His Grace then directed his secretary, Sir George Lane, to read for Walsh a part of a certain letter. Accordingly, Sir George pulled out the letter, and "read for me how Lord Sandwich the British ambassador in Spain, informed thence, that, as he passed through Gallecia to Madrid, Nicholas French of Ferns told him that Edmond O'Reilly had started privately from France for Ireland with the design, and set purpose, of raising a rebellion in Ireland. The words I remember not, neither do I know, nor did I enquire from whom the said letter was, or whether it was Sandwich's own letter, or the Secretary's at London, or any others." Strange as Walsh's ignorance and incurious indifference may appear, considering the importance of the charge and the part he was to act, stranger still is the conduct pursued towards the detected traitor and rebel. Ormonde commands Walsh to inform O'Reilly that his rebellious conspiracy was discovered, and the channel through which the information came, and that in consequence he must be immediately put under a guard of soldiers. Still the primate was allowed to go *where he wished* but yet he did not fly; and it was not till the second or third day after he had received this *secret* intelligence from his pretended *friend* at the castle that the soldiers appeared. Their vigilance, however, was not very excessive. He was permitted to go from room to room, and to the garden, his friends were allowed to visit him at all times, and in any numbers; and crowds frequented his chambers to hear Mass daily and receive the Sacrament; every facility was afforded, yet, he made no attempt to escape. The public guard of soldiers was continued for several weeks till it was supposed, that the city must be sufficiently convinced that O'Reilly must be charged with some grievous offence. In the mean time, Ormonde went off to Kilkenny, leaving his orders to the privy council; his absence might tend to relieve him from the odium of the iniquitous persecution which would appear to emanate only from the council, and at all events would secure him from any inconvenient enquiry about the accusation or the authority on which it rested. At length, the privy council order the prisoner O'Reilly to be brought before them.

\* Ibidem.



Who would not suppose that this unfortunate man to whom so many crimes and treasons have been imputed by the pensioners of government, would now be satisfactorily convicted and punished for some of them. But no, the council institutes no trial, nay says Walsh, they charged him with no offence whatsoever. But in the true spirit of persecution and despotic tyranny, they told him simply they *had orders* to banish him from Ireland, and he might select the place of his exile. On the 27th September, 1666,\* he was sent off to London under the custody of the city major Stanly, and thence was sent without trial or accusation to Dover, where he took shipping for Calais.

Thus banished for ever from his diocese and his country, he studied how he might best provide for the interests of religion, and the spiritual instruction of his people. His first care was to revisit the Irish Colleges in Belgium. He passed, therefore, from Calais to Louvain,† and thence to the other seminaries; and in the beginning of 1667, reached Brussels where he ordained several priests for the Irish mission.‡ He then directed his attention to the Irish Colleges in France. He came to Paris in the summer of 1667,§ and making that city his principal place of residence, he occasionally journeyed at a very advanced age to the different Irish seminaries through the country. In these he exhorted and instructed the young candidates for the ministry, and held several ordinations, the last of which that I find any mention of, took place at Paris in January, 1669. It was probably the excessive fatigue of one of these visits of pastoral zeal that abridged the term of his pilgrimage here, and hastened the reward of his manifold virtues. The expatriated confessor was seized with his last sickness at Saumur, in France, on the Loire, and there with great sentiments of piety, he resigned his heroic soul into the hands of its Creator, about the spring of the year, 1669.||

\* *Fasti Dublinienses* in Whitelaw's *Hist. of Dublin*. Ware's *Gesta Hibernorum*, &c., ut supra.

† Walsh *Hist. of Rem.* part 2, p. 744, &c. Walsh knew nothing of his Grace's history after his arrival in Louvain.

‡ See the registry of the priests of Ireland taken by government in 1704, *passim*.

§ "Perpetuo damnatus exilio in Belgium venit, inde Lutetiam ante aliquot menses," says the MS. memoir to which I have so often referred; and which was copied by the present Lord Arundel, from the original MS. paper, written in 1667, and preserved in the Convent of S. Isidore at Rome.

|| So I learn from a MS note in Plunkett's *Jus. Prim.* p. 31, and from date of Plunkett's consecration. (He wrote in 1669, from Paris to P. Walsh. See R. 612.)

## OLIVER PLUNKETT.

OLIVER PLUNKETT, the successor of Dr. Edmond O'Reilly, was descended from the noble family of Fingal, \* and was born at or near Loughcrew, † in the County Meath, in the year 1616.‡ Exalted as were the honors which he derived from his parentage, higher still were those which were reflected back on his illustrious house from the fame of his learning, the lustre of his virtues, and the glorious termination of his saintly life. Educated in the principles of the Catholic faith, and in the practice of edifying Christian piety, when he arrived at maturer years he became fully convinced, after diligently consulting the divine will, that he was destined by God for the ecclesiastical state. In the year 1649 he publicly renounced the world, and repaired to Rome with the avowed intention of completing his preparation for the sacred ministry. There he devoted eight years to the study of ecclesiastical literature, in the college established for Irish Students in 1628, by Cardinal L. Ludovisi, Vice-Chancellor of the H. R. Church, and Archbishop of Bologna.§

Having graduated, as Doctor of sacred Theology, and being distinguished as highly for an amiable suavity of manners, and uniform piety as for the brilliancy of his talents, and the solidity and extent of his information, he was chosen Professor of Divinity, in the College de Propaganda Fide originally founded by Pope Urban VIII. During twelve years he had discharged with great ability the arduous duties of this high situation, when the primatial see of Ireland became vacant by the demise of Dr. O'Reilly. Several persons were highly recommended to the Holy see, and the claims and qualifications of each were heightened by the patronage, and supported by the influence of some distinguished personage. But Pope Clement IX. observed to his council, why should we confide so important a trust to persons whom we know not, when we have a person, the amiable Plunkett, whom we all know to unite in himself the prudence, the piety, the talents and other qualifications, that are separately extolled in others. || His Holiness accordingly, by a *motu proprio* in the proper sense of the phrase, appointed Dr. Plunkett to the see of Armagh. The necessary documents being expedited, and some days devoted to prayer and solitary converse with God, he received the episcopal consecration in Rome, from the Pope himself, in the month of August 1669. In the Bull of election, &c., he is styled Archbishop of Armagh, and *Primate of Ireland*; and the document of the privileges granted him in a general congregation in the

\* Lodge's Peerage vol. i. p. 156. Hib. Dom. p. 130. Stuart's Armagh, p. 358.

† Hib. Dom. p. 130 ‡ Feller Diction Hist. &c. Moreri, Arsdekin Theol. Tripart. pars 3, prope finem.

§ Arsdekin, Moreri, Feller, Hib Dom. ubi supra.

|| Arsdekin, part 3.

presence of the pope, the same month of August, he is named by the same title. The paper is headed thus: "*Facultates concessæ a sanctissimo, D. N. D. Clemente divina Providentia Papa IX., R. P. D. Oliverio Archiepiscopo Armacano, ac Primati regni Hiberniæ.*" \* The see itself of Armagh is styled "*Ecclesia totius Hiberniæ primatialis, &c.*"

Hitherto accustomed to the spiritual consolations, and peaceful security of a college, he now hastened to sacrifice enjoyments so congenial to the mild sweetness of his disposition. He knew the perils that awaited him, but looking to the "unfading crown" in a "lasting city," he braved the prison and the axe, hating his life in this world, that he might find it in the next." At once he resolved to visit his diocese, and continued there till death, giving proof of a firmness of purpose and a fortitude which though it subsequently marked his character through life, the security of religion in the eternal city had hitherto afforded him no opportunity of displaying. However, just at this moment, persecution began to relax its fury against the Catholic priesthood; and the laws against them were not generally enforced for nearly eight years, commencing with the period of his arrival in Ireland. King Charles II. himself, was a Catholic in heart, and persecuted no creed except when an edict was extorted from his weakness by the importunity of enemies whom he dared not to offend. The perfidious and unprincipled Ormonde was now removed from the Irish government, and was succeeded by Lord Berkeley first and then by Lord Essex. It is little to my purpose to decide whether Ormonde was, or was not, the principal cause of the previous persecutions during this reign; much less to decide whether the glowing eulogies of those who were paid for praising his Grace be more or less entitled to credit than the disinterested judgments of other respectable historians who represent him as a traitor in the cabinet, a coward in the field, and an infidel in the temple. This much, however is admitted on all sides, that he apostatized from the Catholic faith, without adopting, or practising till he got into office, any other religion in its place; that he always opposed, often defeated the temporary toleration of the Catholics proposed by Charles II., and his royal father; and that from the period of his accession to the viceroyalty till his death, the only intervals of respite were those in which he had not power sufficient to persecute—the nine years that he was withdrawn from the government.

Dr. Porter mentions another fact which contributed to the present indulgence and probably, also to Ormonde's removal. Peter Basselini the nuncio of the Holy see at the court of Lewis XVI. represented to the Queen-mother of England, the deplorable condition of the Irish Church, and solicited her intercession with her son

\* Plunkett's *Jus. primatiale* p. 48. Talbot's *Prim Dublin*, p. 57.—*Jus. Prim. Armac.* p. 190. Walsh's *Hist. Rem.* p. 575, 749. and seg.

Charles II., for some relaxation of the laws, or at least for his connivance at the appointment and residence of a few bishops in Ireland. Her application was seconded by the French court, was crowned with success; and between 1662 and 1673, four Archbishops, and twelve or thirteen suffragans were consecrated, and a sort of sufferance to perform privately their episcopal functions till the king should otherwise ordain.\*

But if Dr. Plunkett unexpectedly found himself comparatively secure from the gibbet, he also knew his precarious situation, and while he anticipated that the very exercise of his duties would arouse sectarian rancor from its momentary slumber, he saw that the desolated state of the Irish Church imperatively demanded unceasing labour and unbounded zeal. We have seen before, that the prelacy was reduced to three bishops, two of whom were unable to remove from their beds.† It was now reduced to the *Bishop of Ardagh alone*, ‡ all the other sees of the kingdom were vacant, if we except Ferns and Kilfenora, bishops of which were forced to remain in banishment. The clergy were almost proportionably few. And although the bishop of Ardagh had ordained several since 1665, yet owing to the necessity of circumstances, some of these were but imperfectly adequate to their sacred duties. After a bloody persecution during twenty years, after a civil war, a general confiscation and transfer of property, in a country deprived of ministers of religion, it is impossible that discipline should not have been relaxed, and public morality corrupted. What an ample field did his province present for the exercise of our prelate's real? What labors, what fatigues, what incessant exertions did it require to administer sacraments, not to a town or a diocese, but to a province and almost to a nation? what assiduous instructions were requisite to dispel the religious ignorance that must have arisen from the want of Pastors for so many years? Yet all this Dr. Plunkett effected. He resided in a mud-wall house at Ballybarrack in the county of Louth, and here he held an ordination once or twice every year, not only for the candidates of Armagh, in the selection of whom he used great circumspection, but also for those that came from every part of the country. In the commencement of his administration an altercation between the Franciscans and Dominicans threatened to disturb the peace of the province, and obstruct the progress of improvement. Shortly after the restoration of Charles II., the Franciscans returned to Ulster.

\* Compendium Annalium Ecclesias. Hiberniæ a F. Portero Hlbo. Midense Ordinis Minor. Romæ 1690, p. 285. † p. 66.

‡ The bishop of Kilmore died in 1666, the M.S. memoir copied by Lord Arundell, to which I referred before says, the archbishop of Tuam died also in 1666, and this is confirmed by Porter, ubi supra, but Walsh in his Hist. of Remon p. 601. &c. says: he lived till 1676—but the mistake perhaps arises from his having written in 1666, what was not printed till 1674.

But when a few years afterwards the Dominicans also attempted to recover a settlement in their districts, the Minorites complained of the injury their revenues would thereby sustain, openly opposed them and induced a portion of the laity to support their opposition. The Dominicans being the smaller party represented the grounds of their complaint to the pope, who appointed Dr. Plunkett to adjudicate on the controversy. With much fatigue and expence, the primate personally traversed the different diocesses, which had become the object of contention, and taking counsel with the bishop of Meath (lately translated from Ardagh) and the vicars-general of Meath and Kilmore, he pronounced the 11th October 1671 his final decision. "Whereas, he says, \* it appears to us that the Dominicans had formerly the convent of Gaula in Clogher, of Newtown in Down and of Carlingford in Armagh, we ordain and decree that they may beg and quest like other regulars through these three diocesses. And whereas, neither order has any convent in Dromore, the Dominicans should not be hindered from begging there also, provided they produce to the ordinary of that Diocese the licence of their superiors."

The ancient controversy regarding the primacy, was also revived soon after his appointment. In June, 1670, all the Catholic bishops assembled in Dublin to draw up and present to the Viceroy, Lord Berkeley, a loyal address and a full declaration, and vindictory exposition of Catholic principles. Dr. Talbot, the Archbishop of Dublin, claimed to himself the right of precedence before the primate in the assembly, and refused to attend unless he were allowed to preside, or to subscribe the declaration unless his signature were the first. Dr. Plunkett thought that he could not accede to this demand without violating the canons of the church, as well as what he owed to his see, his successors, and the preservation of order and permanent tranquillity. He, however, proposed to submit the matter to the bishops then assembled, and in order to hush the unseemly controversy, and proceed with their business, that both should abide on the present occasion at least, by their decision.† Dr. Talbot at once declined this equitable arrangement, "alleging, says Stuart,‡ that the king had appointed him to oversee all the clergy of Ireland." In vain did Dr. Plunkett "insist on his producing the document or deed of appointment; Dr. Talbot always evaded the demand." Nothing

\* Hib *Dominicana*, p. 129, 130, De Burgo observes "*Exemplar authenticum est in Archivo S. Sixti de Urbe*."

† Plunkett's *jus. primat.* p. 1, 2, and sig.—*Jus. Prim. Armac.* p. 1, and 20. Harris' *Ware's bishops*, p. 80, and *Writers*, p. 192.

‡ Stuart's *Hist. of Armagh*, Harris' *Ware's Writers*, p. 192. However, I very much doubt the authenticity of this addition to the story: it is not mentioned either by Plunkett or Talbot or M'Mahon in their account of the dispute, nor by any other Catholic writer that I have met, and the Catholics had better opportunities of knowing it if true. Besides it bears internal marks, of being an unfriendly if not a malicious invention.

could be more futile than such a document if it existed; but in those days it was more prudent not to raise an unnecessary question about the royal prerogative; and hence the primate contented himself with saying that "until the document was openly produced he would take care to oversee the archbishop himself, from whom he should expect due obedience." Here the matter terminated for the present. The meeting was adjourned; but to prevent similar confusion for the future, both parties drew up a statement of their arguments and claims, and referred them to the decision of the sovereign pontiff. The arguments on either side being diligently examined in a meeting of the cardinals of the Congregation de Propaganda Fide, the secretary, Baldescus then Archbishop of Cesarea, and afterwards Cardinal Colonna, pronounced sentence "L'armacano sta a vacallo," Armagh is victorious.\* And in a subsequent meeting after maturely reconsidering the question, the congregation with the approbation of the pope, ordered the following words to be inserted in the office of St. Patrick, (17 of March.) "Armacanam sedem, Romani Pontificis auctoritate, totius insulæ principem metropolim constituit."† In the mean time, Dr. Plunkett entertained an appeal, from the decision of the Archbishop of Dublin, made by a Mrs. Chivers alias Purcell, of Mountown in a matrimonial case; and after the example of some of his predecessors pronounced judgment thereon in due form, not only within the territory of Dublin province, but in the very city itself.‡ To this controversy, posterity are indebted for three highly valuable publications, each of which is far superior to the lucubrations of the great Ussher on the same subject.§ The first was written by Dr. Plunkett, and is a small octavo volume of fifty-six pages, entitled, "Jus Primatiale, or the ancient pre-eminence of the see of Armagh above all other archbishops in the kingdom of Ireland, asserted by O. A. T. H. P. printed 1672." The initials represent "Oliverius Armacanus totius Hiberniæ Primas." The second was written by Dr. Talbot, and published at Lisle in 1674, in 85 pages, 12mo. and is entitled *Primatus Dubliniensis*, &c. The third is the elaborate "Jus Primatiale Armacanum," of Dr. M'Mahon, of which we shall see more hereafter. Dr. Plunkett wrote a reply to the *Primatus Dubliniensis*, in which he treated the subject at greater length, and with greater accuracy. But just when the work was ready for the press, that tragic scene commenced which terminated in the murder of the learned and venerable author, and the manuscript itself was lost during the wars between King James and William III.¶

\* Jus Prim Armac, p. 20 21. † Idem ibidem—Stuart's ignorance of Latin has led him into a curious chronological blunder in the translation of M'Mahon on this passage.

‡ Jus. primat. c. 24, p. 17 § This is implicitly acknowledged even by Mr. Harris. Ware's bishops, p. 80.

¶ Jus Prim Armac. Prosecutio contra anonymum, c. 22, p. 9.

Virulent as was the bigotry of the Irish Protestants at this period, their hostility was not roused by the active and prudent zeal, and exertions of the venerable primate. Their fears were quieted by his utter aversion to interference in politics, their jealousy was extinguished by his poverty, his unaffected humility, and unassuming deportment. During nine years he preached incessantly, administered sacraments and performed all the functions of a simple priest, he visited his diocese, held annually his confirmations and ordinations, enacted diocesan statutes, and inflicted censures on the irregular and disorderly, in a word, he fulfilled all the duties of an apostolical prelate, and yet, he not only disarmed rancor, but was respected and revered by Protestants of every grade and distinction from the viceroy to the collier. His candor, his charity, his love of peace and patient submission to the laws won their confidence; his learning, his piety, his exalted virtues and apostolical simplicity attracted their esteem and veneration. Even when persecution lighted again its dismal flames; victims fell around him on every side for three years, and he continued unmolested. But at length the day arrived, when he too was to be immolated to private revenge, and to the most flagitious scheme ever devised to crush a religion or to foster treason.

When various treasonable plots for subverting the monarchy of England and effecting another puritan revolution had failed, the remnant of the Cromwellian faction devised another plan of accomplishing their purpose. The immediate object of the scheme was to inflame popular fury against the Catholics, and to afford a pretext for renewing and increasing the former persecution; and the ultimate aim was to force them into rebellion, and to seize their confiscated estates, or at least to render the king odious, and exclude his brother James, Duke of York, from the succession. Ormonde was again sent as Lord Lieutenant to Ireland, a willing instrument of the means, but unacquainted with the secret end which (the *cabal* ministry, particularly) Shaftesbury and Buckingham, the patrons of the plot and his personal enemies, hoped to attain by his irritation of Ireland. Else he had rescued and gained too much by the former insurrection in Ireland, easily to hazard the chances of another. His Grace arrived in Dublin, in August, 1677. Soon after the Catholics were disarmed through the entire country, the Catholic magistrates and aldermen were displaced. The following year, a proclamation was issued, commanding all popish bishops, vicars, jesuits, &c., &c., to depart from the kingdom before the 20th November, and suppressing all popish seminaries, convents, &c., On the 20th November itself, another proclamation was published, forbidding all Catholics to enter the city of Dublin, or any of the principal seaport towns, and a third appeared on the 26th March, 1679, making every popish priest responsible to the laws, for every robbery or murder committed within his parish, whether by Protestants or Catholics, unless the real culprits were apprehended

within fourteen days.\* In the mean time, Shaftesbury had matured his pretended popish plot; Oates and his gang of associates had concocted their story, and were hired to support it by perjury. The contradictory tale was swallowed up by the superstitious credulity of the bigotted English, a general fervent was excited, and every tongue poured out maledictions on popery and its abettors.† The minister dispatched information to Ormonde, that the plot extended to Ireland, and that persons were hired to assassinate his Grace. It was expected that the Protestants would arm *en masse*, and that Ormonde would use such violence as would force the Catholics also to rise in self defence. Letters were dropped in the streets by the "Irish Protestants hungering for confiscations," private informations were multiplied by word and writing that his Grace's murder was intended. But he saw too clearly the absurdity of the story, he knew that Archbishop Talbot and Lord Mountgarret, both doating bedridden octogenarians, or Colonel Peppard, who never had existence at all, could not be the active leaders of an Irish rebellion, and although he imprisoned the bishop and other pretended conspirators, he knew from his numberless spies and other sources of information, that no conspiracy had been dreamt of in Ireland. In truth, if as Leland writes, "nothing could have happened more convenient to the purposes of Shaftesbury than an insurrection in Ireland," nothing also could have happened more injurious to the prospects, or perilous to the vast fortune of Ormonde.

"It reflected, continues Leland, particular discredit on the popish plot in England, that a year had elapsed before one evidence could be found of any like conspiracy in Ireland, where there were, by the computation of Sir William Petty, about fifteen papists to one Protestant, and whither their brethren in England might naturally have resorted for assistance. Those who were most heated against popery, and the Irish formed imaginary dangers. An invasion was suddenly expected from France. Information thereof was transmitted to England by Lord Orrery, and eagerly received. One ship was particularly named to have conveyed a vast number of arms and military stores to the port of Waterford. The vessel was instantly seized, searched, and instead of containing all the formidable preparations for rebellion and massacre, was found to be freighted only with salt." Every encouragement was given to informers who could be moved by the love of gain or revenge, and every assistance in framing their stories. One Bourke accused the Earl of Tyrone, the charge was believed in London, but it was proved on the fullest evidence to be false and malicious. David Fitzgerald, a Limerick Protestant while in gaol for a capital crime, became an informer

\* Ware's *Gesta Hibernorum*. Carte's *Ormond*, Vol. 2, p. 479 and seq. Leland, vol 3, p. 456, 474, and seq.

† Carte, Leland, Hume, Lingard, Plowden, M'Dermott, &c., *ad annum*, 1678-9.



and accused several persons of high respectability. They offered themselves freely for trial where their characters were known, and the crime was said to have been committed, but it was resolved to try them in London, and Shaftesbury openly boasted that he had now important discoveries of an Irish plot. Fitzgerald, however, was seized with remorse and attempted to escape. But being apprehended and forcibly dragged to give evidence, he publicly and freely acknowledged the baseness and falsehood of his informations, and the parties were of course acquitted. Such confessions and discomfitures when duly considered, might, even in England, shake the credit of the plot, and diminish the authority of those leaders, who had so long, with such industry, inculcated the belief of it on the nation. "Rewards, therefore, (continues Mr. Hume with more than his usual impartiality) were published in Ireland, to any one that would bring intelligence or become witnesses; and some profligates were sent over to that kingdom, with a commission to seek out evidence against the Catholics. Under pretence of searching for arms or papers, they threw innocent men into prison, and took bribes for their release:" the haunts of tories were successfully ransacked, the vindictive feelings of discarded servants, and degraded clergymen were applied to for evidence against their masters and superiors; and after all their diligence, it was with difficulty that that country could furnish them with any witnesses fit for their purpose. At last, one Fitzgerald appeared, followed by Ivey, Sanson, Denis, Bourke, two M'Namaras, and some others. These men were immediately sent over to England; and though they possessed neither character sufficient to gain belief even for truth, nor sense to invent a credible falsehood, they were caressed, rewarded, supported and recommended by the Earl of Shaftesbury. Oliver Plunkett, the titular Primate of Ireland, a man of peaceable dispositions, was condemned and executed upon such testimony."\*

Denis, (probably in Ireland M'Donagh,) who was brought to confirm Parson Oates's story of the English plot, appears to have been the first of these profligate wretches, that dared to whet his tongue against the life of the archbishop. He represented himself as a Dominican friar, and stated, that when going to Madrid in 1677, he was the bearer of a letter from Oates to the Archbishop of Tuam, then residing in that city; that having taken another Dominican to introduce him he delivered the letter, his Grace had no sooner read it, than turning round, he observed to this *unknown novice* and his companions, that Oates wished to be ordained by him; and added, "he will be very useful to us; for Dr. Plunkett, the Primate of Ireland, has resolved to introduce this year, or on the first opportunity, French troops into Ireland to support the English and Irish Catholics; and please God, I will go there myself

\* Hume's Hist. of England, c. 69, vol. 8. or 12.

to assist in accomplishing so holy a work.”\* Incredible as was this story,† the accusation against the primate was furnished by others with details that heightened its absurdity. The Duke of Ormonde, who bore ample testimony, himself as well as his three predecessors, to the primate’s unimpeachable loyalty, had thrown him into prison on the common charge of being a Catholic bishop;‡ and it was, perhaps, this circumstance combined with his station, that made him be selected by the informers as a leading conspirator. From December 6th, 1679, till the following October, he was closely confined in the felon’s gaol of Newgate; but when the day of trial at length arrived, his prosecutors, men of flagitious and infamous characters, dared not face him in Dublin where his character and theirs were known, where records and witnesses could be easily procured on the side of truth, and where the very impossibility of the imputed crimes could not fail to strike a jury acquainted with the geography and circumstances of the country.§ At the trial, it appeared that they had designedly gone over to London; and he, instead of being discharged, was compelled to follow them, in order to be arraigned in contradiction to all law and precedent and equity a second time for the same offence, and that too, out of the country where the crime was said to be committed. It would appear that he was again brought to trial shortly after his arrival in London; but so clumsy and inconsistent was the tale fabricated by his prosecutors, that the grand jury, not able to make out even a *prima facie* case, ignored the bills of indictment.|| Denied a second time that discharge which British law in such circumstances imparts to the vilest malefactors, he was again remanded to prison, and there was detained under the severest regimen of gaol custody for seven months longer. During that period, he was refused all intercourse with his friends, denied the attendance or even the visits of his faithful servant, and allowed to speak only to his keepers. “His time, says a fellow prisoner, for the faith, was spent almost entirely

\* *Apologie pour les Catholiques &c.*, a Liege 1682, p. 354, and seq.

† See the admirably conclusive reflections of Dr. A. Arnaud (the author of the “*apologie*,” &c.) upon it: this work is generally considered one of the most demonstrative publications that ever appeared on an historical controversy. Mr. Hume seems to have borrowed largely from Ormonde.

‡ Dr. Lingard’s *Hist. of England*, vol. 13, in 8vo. p. 281, &c. Candor requires me to state, that although through respect to Dr. Lingard’s extensive research and proverbial accuracy I have adopted his statement of the first cause of the bishop’s imprisonment, yet I find *Arsdekin* and all our Irish historians silent on this head, or rather ascribing his arrest solely to the charge of conspiracy. *Arsdekin*, *Hib. Dominican*. Plunkett’s speech at the place of execution.

§ *Burnet’s own times*, vol. 1, p. 281. *Leland*, vol. 3, p. 481. *Stuart’s, Armagh*, p. 359.

|| The Rev. Dr. Corker, in a letter still preserved in M.S. by the relatives of the Archbishop.

in continual prayer; he fasted at least three days every week on bread and water, yet he always appeared with a modest cheerfulness of countenance without anxiety, or any appearance of being depressed by, or even concerned about his danger, or the hardships of incarceration; and by the sweetness of his manners he acquired the esteem and veneration of all those about him. This is what I have learned from his guards and mine."

In the mean time Owen Murphy, the chanter of Armagh, and says Harris, a noted "rapparee,\* was sent over to Ireland "authorized to search for and carry over witnesses to give evidence against Oliver Plunkett."† He traversed the country from the extremities of the north to the southern parts of the County Tipperary; he told every abandoned villain of Oate's pension of £1,200, and exhorted each to come and do likewise. It mattered little what had been their crimes; their characters would not be known in England, and their crimes would be pardoned; it mattered less what they knew of the primate, provided they swore stoutly to the part assigned them. The band of informers was swelled only by a few of Murphy's most infamous associates; the whole gang amounted to eight, viz.: four laymen, Hanson, Florence M'Moyar, Cornelius, and Neal O'Neal, with Murphy and three vindictive Franciscan friars, Duffy, M'Moyer, and M'Clane. The laymen, although they represented themselves as the "pages" and messengers of the primate, were never known to him, in any shape before his trial; the three friars he had suspended years before for public immorality. The crimes of which these miscreants accused the primate, were, that he had obtained his see under the express engagement of raising a large army of Irish rebels, and preparing the way for the invasion of Ireland by France, that he had sent letters by Neal O'Neal to several foreign ecclesiastics, requesting them to solicit foreign powers to invade Ireland, and had employed Con O'Neal for the same purpose as the French King; that he had organized and enrolled a body of 70,000 Irish soldiers, had directed Friar Duffy to enroll 250 men in the parish of Foghar, in Louth, and that all these were destined to join a French invading army of 2,000 more; that he had personally surveyed all the harbours in Ireland and selected Carlingford for the debarkation of the French; that he had held councils of the clergy for allotting contributions, and had actually levied and exacted from them supplies of money for the maintenance and pay of the united army of 90,000 troops; and finally that he had at a public meeting about ten years before, exhorted 300 Catholic gentlemen from the counties of Monaghan, Cavan and Armagh, to take up arms then for the recovery of their estates. Such were the monstrous, impossible, naked absurdities laid in the indictment, and on these Dr. Plunkett

\* Harris' Ware's writers, p. 199.  
 Lord Arran, December 29th, 1680, in Carte.

† Ormonde's Letter to his son

was arraigned before the chief justice of the king's bench, on the 3rd May, 1681.\* He obtained a delay of five weeks to procure witnesses and documents from Ireland, but to a man destitute of means, immured in prison in a foreign land, and denied all intercourse with his very few friends, that interval was insufficient. At its expiration an affidavit was laid before the court, stating that the messenger he found after some delay to go to Ireland, was driven back by contrary winds, that his witnesses were delayed by the difficulties made in granting passports to Catholics, that the officers in Dublin refused copies of any document until they had received orders from the council in London; that his witnesses were to be brought from several counties; and that in consequence of these and other impediments his means of defence had not yet arrived.† On this affidavit he grounded an application to the court for some further time. He asked only for twelve days, but even that was denied him. His witnesses and records had arrived before eight of the twelve days had elapsed,‡ but they were then too late.

On the 8th of June, 1681, he was brought to the bar, without counsel, without friends, to be tried for offences of which he was twice acquitted, and which all Ireland then, and every writer since of whatever creed or country, or party,§ agreed in affirming that such crimes never had any existence but in the deliberate malice of his accusers. It was notorious that a hostile fleet neither would nor could land in the bay of Carlingford: it was notorious that there were not 300 Catholics in the three counties, nor even the whole province of Ulster that had lost estates by the late wars; it was notorious that the total incomes of all the Catholic clergy would not support a single regiment, and that the primate himself had no better residence than a thatched mud wall cabin, and an annual revenue never amounting to £70, and it was notorious that he had practised and constantly inculcated the most dutiful loyalty throughout his life, and that his accusers were immoral apostate friars, and convicted felons. In a word the absurdity of the charges was notorious in Ireland; but as his witnesses had not arrived, in vain did the innocent prelate endeavour to convince a stupidly ignorant and perhaps malicious English jury of their false-

\* Plunkett's dying speech. Also State Trials, vol. 8, 447, and seq. Burnet, vol. 2, 279.

† Plunkett's speech. State Trials, VIII. Lingard, XIII. 282. Leland, Stuart.

‡ Arsdekin Theol. trip. part 3, prope finem. Plunkett's letter to Lord Joyce, (ut supra) says they reached the English coast on the third day after condemnation.

§ Burnet, Echard, Baker's continuator, Carte, Harris, Hume, Leland, Stuart, &c., &c., praise the virtues and in particular, the loyalty and peaceful submission of this prelate as highly as M'Geoghegan, De Burgo, Lingard, or any Catholic writer could do.

hood, in vain did he produce testimonials of his loyalty and peaceful demeanor signed by Lord Berkley and Essex, successively viceroys of Ireland, in vain did he oppose to suborned perjury the most solemn asseverations of his innocence, justly observing that "if these points had been sworn before any protestant jury in Ireland, and had been acknowledged by him at the bar, they would not believe him, no more than if it had been deposed and confessed by him, that he had flown in the air from Dublin to Holyhead." All was in vain, the jury returned him "guilty."

In the interval between his trial and the delivery of judgment, a distinguished Peer, among several others, sent him notice that his life should be saved if he would renounce his religion and accuse others; to which he replied that he knew none whom he could accuse justly; and that he would not, even to save his life, falsely accuse any person, nor prejudice his own soul." \* On the 15th June, the chief justice entered the court and after much virulent declamation against the Catholic religion, and exhorting the prisoner to abandon that creed to repent of his sins and save his own life, which drew from the Primate a profession of faith, a declaration of innocence and a repetition of his former answer, he pronounced in the usual form the sentence of death, on hearing which the holy martyr fervently exclaimed, "Deo Gratias," thanks be to God.† The Earl of Essex, notwithstanding the dangers that then beset any indulgence to Papists or incredulity in Oates's fabrication, earnestly solicited his pardon of the king, declaring his own knowledge that the charge could not be true. But Charles who saw through the design of that plot from the commencement and knew the treasonable designs of Shaftesbury and its other framers or abettors, for which they afterwards suffered, enraged "at the circumstances in which he was placed, indignantly replied. Then my lord, his blood be on your conscience, not on mine. *You* might have saved him if you *would*. I cannot pardon him because I *dare* not." ‡

After his condemnation he was allowed the attendance of his servant, and through him was enabled to write a farewell to some of his particular friends. The spirit of perfect charity, fortitude and Christian heroism that breathes through these letters is truly admirable. In one of these addressed to Rev. Gregory Joyce canon of St. Gudule at Brussels and dated the 22nd June 1681, he says, "Sentence

\* Plunkett's dying speech. † Manuscript memoir of Dr. Plunkett, drawn up shortly after his death, and preserved by his relatives the copy of which in my possession is transcribed from the original held by Colonel Plunkett, Knight of the S. Louis and of Malta, and Lt. Col. of Berwick's regiment of Irish brigades, &c. &c. The original is in French. I have since discovered that this MS. Memoir was either translated by Am. Griffith or taken from his "Tracts."

‡ French MS. Memoir of Dr. Plunkett, also Lingard XIII. p. 283. Echard's Hist. of Engl. III. 601.

of death has been passed upon me. I do not fear it nor does it disturb the peace of my mind ; for I am as innocent of any conspiracy as the child of one day. I publicly acknowledged my character, profession, and the functions I exercised ; and, whereas, these were the motives of my death, I die willingly, the first of the Irish Prelates that suffered here in latter times, and, so I hope in the grace of God, an example to others of not dreading such a death. But whence have I, a most wretched creature so much courage when I see the Creator himself, at the approach of death, beginning to fear and to be weary ? I consider indeed that Christ merited by his fear and trembling that I should be free from fear. Sufficient time was not allowed me to bring over my witnesses from Ireland : they arrived eight days later and after the sentence of death was passed, which I cheerfully embrace, as being to die for my religion, my (episcopal) character and functions. I expect daily to be brought out to the place of punishment, where my bowels are to be drawn out and burned before my eyes and at length my head cut off. I eagerly desire to be dissolved and to be with Christ. From my heart I pardon and beseech God to pardon all those that in any way co-operated to my death, &c.” \* He addressed another letter † about the same time to his confessor and fellow prisoner the Rev. Mr. Corker which I shall here insert.

My dearsir,—I am very much obliged to you for the letter you have been kind enough to send me on the 20th instant, as well as for your great charity and attention to me on every occasion. I shall not be able to make any return for so many favours in this world but I hope to acknowledge them in that other which is our true country. And truly God has given me, although so unworthy, the grace to have, *fortem animum mortis timore carentem* ; a courage which fears not death. I have been guilty of many sins for which I must render an account before the sovereign judge who does not admit false witness : but as to the crimes of which I was lately accused in the king's bench I am innocent of them. O ! would that I were as just before the bench of the Almighty judge. But, at all events, it is a consolation to know that *He* cannot be imposed upon, because He knows all things, even the secrets of hearts ; and cannot wrong any because, he is goodness itself : and so I am sure that my trial will be fair and that I shall have time to call witnesses, or rather he will produce them himself in an instant as far as is necessary. Your prayers and those of your confreres will be powerful advocates in that court of justice ; here, no advocate is allowed to plead in favor of—your affectionate friend—Oliver Plunkett.

This pious clergyman has left us in a private letter ‡ to some of the archbishop's friends, an interesting account of his prison habits

\* Translated from the Latin original in Arsdekin's, Theol. Trip. part 3.

† Translated from the French in the MS. Memoir already described.

‡ See this Letter in Griffith's Tracts, prop. finem.

and the last days of his existence. Among other things he observes "when he arrived here (Newgate jail) he was very infirm in health, and deprived of all conversation with any but his guards until the time of his trial. Hence I know little but what I know from the guards and that by mere chance . . . . . when his trial was over, it is true, I could write to him and receive his letters: but they were all transcribed and examined by the officers before they were delivered to us. After sentence had been passed upon him, his servant was permitted to remain alone with him in his cell, and by this means our correspondence was more free. It was then that I clearly witnessed in him the spirit of God, and the amiable fruits of the Holy Ghost, charity, joy and peace splendidly shining in his soul. And not only I, but several other Catholics who came to receive his benediction, could attest from their own observation, that something divine shone through his words, his actions, and mien; an union of cheerfulness, fortitude, charity, sweetness and candor that marked distinctly that the divine goodness destined him (a victim) for heaven. All that saw him were replenished with a new pleasure and a new fervor, and their desires of pleasing God and suffering for him were singularly inflamed by the sight of the archbishop. As to his manner of prayer, he appeared most attached to the common prayers of the church, such as the divine office, the missal which he made me procure for him three months before his death. He almost at every breath, poured forth some pious ejaculation on which he allowed his soul, following the sweet impulse of the Holy Spirit to melt in tenderness; and it was, I am sure, in order not to interrupt the current of his devotions, that with great humility he sent me his dying discourse to be corrected . . . . . He continually endeavoured to advance himself more and more in the perfection of divine love, and by consequence of contrition for his sins, which this humble soul used to say to me, were the only thing in this world that gave him trouble. This charity absorbed in him all fear of death, and made him literally rejoice at its approach: his joy increased with his danger, and was enlivened and entirely complete when his death became certain. The night before his death, with a feeling of enjoyment and anticipated delight, he retired to rest at eleven o'clock and slept composedly till his servant who slept in the same room awakened him in the morning. Continually studying to detach himself from the world and to put off even himself to become an entire, agreeable and perfect holocaust to the Lord, as he had given up his soul with all its faculties to God, so he resigned the care and disposal of his body to me . . . . . But I cannot, nor should I attempt to describe the extraordinary virtues of this holy martyr; there was something in him more than human; the most savage and obdurate among the people were softened and melted at seeing him, and several Protestants exclaimed "O that our souls were with his!! . . . . . When he arrived at the place of execution, he turned

towards our chamber in the prison, and with a countenance beaming satisfaction and friendship, he lifted up his holy hands and gave us his blessing." \*

This innocent victim of the unfeeling cunning and treasonable machinations of the traitor Shaftesbury and his Puritan associates, at length arrived at the time of his sufferings. On the 1st of July, 1681, he was dragged on a sledge from Newgate prison to Tyburne the place of execution, before an immense multitude of spectators. There he ascended the scaffold an illustrious spectacle to God, to angels and to men; and with the gibbet, the faggot, the axe and block before him he delivered with a firm voice and cheerful countenance a powerful discourse to the assembled multitude. He went over the history of his prosecution, shewed the impossibility of his guilt, and in the most solemn and impressive manner asserted his innocence with dying breath. The crowds that had gone out to insult the convicted traitor, struck with his venerable aspect, convinced of his sincerity and innocence, and astonished beyond measure at the serenity, alacrity and seraphic piety with which he met death, now sympathised over the faith of the saintly martyr, and many of them burst into a flood of tears, when the sentence of the law was put into execution. He was cut down alive from the gallows, his body ripped up to the breast, and then beheaded and quartered. When the executioner held up his venerable head to the crowds, as the head of a traitor, a profound silence accompanied with a thrill of horror and indignation pervaded the entire assembly. His dying asseverations had stemmed the torrent of popular feeling which hitherto ran along with the abettors of Oates's plot; the witnesses were now believed to be suborned perjurers; and the populace brought on a sudden to reason with themselves repented of the effusion of so much innocent blood which they had day after day applauded, and began to turn their indignation against the real conspirators. Plunkett was the last that suffered for that diabolical intrigue, and the last also I believe, of the Irish Bishops that died for the faith.

The king, deeply afflicted, it is said, at his murder, easily granted permission for the interment of his body. His remains were respectfully deposited in the cemetery of St. Giles in the fields; but his head, and his arms to the elbows were preserved as a memorial of a martyr who though not canonized on earth, was firmly believed to be a saint in heaven. On his breast was laid a plate of copper on which was engraved the following inscription. "In this tomb resteth the body of the most Reverend Oliver Plunkett, Archbishop of Armagh, and Primate of Ireland; who in hatred of religion was accused of high treason by false witnesses, and for the same condemned and executed at Tyburn, his heart and bowels being taken out and cast into the fire. He suffered martyrdom with constancy the 1st of July, 1681, in the reign of King Charles II."

\* Translated from the French of this MS. Memoir.



Several miracles are said to have been wrought at his grave, or through his intercession.\* It must be confessed to be at least a very extraordinary phenomenon that when the trunk of the body was exhumed from the common burial place, four years after interment, it was found to be perfectly fresh and entire without any appearance of decay or putrefaction. It was removed on that occasion to a convent of English Benedictines at Lambspring, in the Duke of Brunswick's territories, in Germany; and was there again deposited in the earth with great respect and religious solemnity. After the lapse of several years the grave was opened, and I recollect to have read that the body was found as perfectly entire as before. His former friend, the Rev. Mr. Corker, to whose affectionate veneration is probably to be ascribed the translation of the primate's remains, erected in 1691, over his tomb, a splendid monument bearing the following inscription. "*Reliquiæ sanctæ memoriæ Oliverii Plunkett, Archiepiscopi Armachani, Hiberniæ Primatis, qui in odium Catholicæ fidei, laqueo suspensus, extractis visceribus et in ignem projectis, celebris martyr occubuit Londini primo die Julii (stylo vetere) anno salutis 1681.*"†

It is worthy of remark, that, Lord Shaftesbury, the active patron, if not the real father of Oates's plot, was himself imprisoned for treason the very next day after the execution of Dr. Plunkett; that he was prosecuted by the same Irish witnesses whom he had hired to swear against the Catholics, and escaped punishment only because they were not deemed worthy of credit. His restless spirit hurried him during the following year from one intrigue to another, from treasonable plots against the king and his brother to conspiracies against their lives. Discovered at length, on leaving Russell Sydney and other minor accomplices to expiate their guilt with their blood, he fled from punishment to Amsterdam, where he lived a few months and died in wretchedness. Of the pensioned tools of his villainy, some became informers against their former employers, and prosecuted them to capital conviction; Parson Oates and others of the English and Irish witnesses were tried and convicted of malicious and deliberate perjury, and sentenced to heavy fines, perpetual imprisonment, and to stand in the public pillory five times every year. The unfortunate friar Duffy escaped the punishment of the law, but not of his own conscience. For thirty years he wandered about like another Cain, an outcast on the earth, confessing his guilt, and almost despairing of pardon. A ray of hope at length beamed upon his soul. Shortly after Dr. Hugh M'Mahon† had returned from exile to govern the see of Armagh, while sitting in his chamber one

\* Jus Prim. Armac. Contra Anonym. c. 22, p. 8, 9.

† MS. Memoir of Dr. P.

† Milner's Tour of Inquiry, 37, 38. Dr. Milner relates this anecdote on the authority of the late Primate R. O'Reilly, who had it from an early ac-

day, an old, decrepid, emaciated, wreck of torture, entered the room with tottering gait and ghastly aspect. Moving towards the bishop, the heart-broken sinner piteously exclaimed, "Oh! am I never to have peace? Is there no mercy for me?" The prelate, recognizing the withered frame of Duffy, rose in silence from his chair, and opening a glass case that lay convenient, in a deep and solemn tone, said, "Look here, you unhappy wretch:" he looked; recognized, and instantly fell lifeless to the ground. It was the head of the martyred archbishop that lay before him. Recovering from his swoon, he is said to have evinced extraordinary contrition and penitence and eventually to have been reconciled to the Church.

The head of the holy and illustrious prelate is still preserved, as a precious relic, by the Dominican nuns of Sienna Convent, Drogheda; it is enshrined in a richly ornamented ebony case, and has suffered so little even to this day, from the consumption of time, that the original features can still be distinctly traced, and the silver colored hair be seen and handled without injury.\*

"Illustrious shade! (exclaims M. O'Connor,) thy memory is embalmed in the tears, and honored by the admiration of six successive generations, the power of thy persecutors was short-lived, and nothing remains of them but the memory of their crimes; your virtues still exhibit a glorious example of patience, meekness, humility, charity, and fortitude. Thou hast received thy reward, ANIMA SANCTISSIMA AVETO SALVETO. May the contemplation of thy happiness encourage to the imitation of thy virtues; may the example of thy resignation sustain those who may be exposed to similar persecution."

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### DOMINICK M'GUIRE.

WITHIN a very few months after the murder of Dr. Plunkett, Pope Innocent, XI., appointed Dominick M'Guire to succeed him. Lineally descended from the ancient princes of Fermanagh, and a native of that province, he at an early age renounced the world, and commenced his noviciate in the Dominican convent of Derry, under the venerable prior Eugene O'Quigly. Having completed his ecclesiastical studies in a university or school of Spanish Dominicans, in

quaintance of his, who had been sitting with the archbishop when Duffy entered the room. Dr. M. does not mention the name of the archbishop. But as Dr. M'Mahon was the only primate that lived in Ireland from 1698 to 1739. Dr. O'Reilly's "acquaintance" could not, it is reasonable to suppose, be the companion of M'Mahon's predecessors, nor did Duffy live to see his successor. History of the Irish Catholics, part 1, p. 106, 107.

\* Stuart, Armagh, 363, &c. Hib. Dom. 131.

Andalusia, he came to London, and was appointed honorary chaplain to the Spanish Ambassador at the English Court. The protection secured to him by this situation enabled him to exercise the functions of his ministry, and exert all his zeal for the instruction and edification of the British Catholics in London; his prudence so wisely directed the limits, the means and manner of his zeal, that none could be offended with his success. After many years spent in this unostentatious but useful course, he was, at length, in 1681, called to act on a more conspicuous and extensive stage as Archbishop of Armagh. He returned immediately to Ireland, and applied himself, with as much diligence and zeal as the laws would allow, to the instruction and spiritual improvement of his people, and persevered in an unremitting attention to the high functions of his pastoral office, until new persecutions, levelled at the pastors of the fold, with the view of scattering the unprotected flock, forced him to fly from the ignominy of a gallows to France.

During the latter years of the reign of Charles II., the Catholics enjoyed a considerable share of security and quiet. The detection of the shameful artifices and designs by which Oates's plot was imposed on the public, the designs of its patrons, and the odious perjuries by which it was supported, roused the honest portion of the English public from the intoxication of credulity; the discovery of the Rye house conspiracy for murdering the king and his brother, and of other similar conspiracies excited a feeling of general execration against Shaftesbury and the rest of that faction that had been the principal, if not, the sole authors of the persecution against the Catholics.

The king himself feeling that his dissolution was approaching, gave an undeniable proof of the sincerity with which, formerly at Brussels before his restoration, he had renounced the errors of Protestantism.\* The violence of his sensual passions could not well endure the severe morality and discipline of the Catholic Church; the splendour of the royal crown had made him blind to the criminality of the means by which he recovered his right: and to gain the confidence of his rebellious subjects he had successively pledged himself to the Covenant of Scotland, and conformed to the rites of the English Church. But now feeling the hand of death upon him, he earnestly implored the mercy of his judge, and was again received by the Rev. Father Huddleston into the communion of the Catholic Church.

His brother, James II., was proclaimed king on the very day of Charles' death, February, 1684-5. His character was directly the very reverse of that of his brother; so rigid a moralist, that the Protestant English styled him commonly, "James the Just," although they knew he had abandoned the Protestant faith a few years before;

\* Echard's Hist. of Revol. I. 60.

and so faithful to his engagements with God and man, that spite of all consequences, he went publicly to Mass the day after his accession, and that his promises were thought a security equal to any law, the common expression with reference to them being, "we have now the word of a king, and a word never yet broken." The Irish Prelacy thought it not unreasonable to expect from a Catholic king some security for their own lives, and some improvement in the condition of the people. They saw that a Protestant king had established Calvinism in Scotland, because that creed pleased the fancy of a majority of the Scotch; they saw another creed which they deemed now but a chaotic jumble of antiquated and contradictory heresies, established in Catholic Ireland, they saw the bishops and parsons of this fungous crudity possessing in addition to the legalized robberies of the Act of Settlement, the lands, endowments and tithes which they once possessed by rightful inheritance from Catholic ancestors; and they knew there was no other assignable reason for this anomalous establishment, but that Elizabeth and her successors were Protestants. Yet although the king was now a Catholic, and five-sixths of the nation also Catholic, the Catholic prelates petition not for the power and wealth of an establishment, but simply for civil and religious toleration. Nay, although the severity of persecution had thinned their ranks, though one half, (Porter a contemporary says twenty-one out) of the thirty-two sees had been vacant, many of them for thirty years, some even for eighty years, yet, through a prudent regard to Protestant feelings, and the delicate circumstances in which his majesty was placed, they abstained from requesting either the king or the pope to fill up the vacancies.

The Synod that despatched this petition to James, consisting of eleven bishops, was held at Dublin on the 18th May, 1686. It is pleasing to observe, that the unseemly controversy, regarding the primacy, was no longer continued; on this occasion, Dr. M'Guire presided at the assembly without any opposition from the archbishop of Dublin, who attended throughout, and yielded precedence to the primate on this, and all other occasions. The right was with equal cheerfulness recognized by the archbishops of Cashel and Tuam, at episcopal meetings in their respective provinces, at Limerick and Galway, in the year 1691. In this year also, he entertained two appeals from the archbishop of Tuam's court, and in both reversed the decree of the archbishop. This prelate was the companion in exile of Dr. M'Guire, as was also the succeeding archbishop of Dublin, and at all the meetings of the banished bishops, the superior dignity of the primate was always acknowledged. Accident gave occasion to a fresh judgment of the question in Rome. It was not till the year 1687 that Dr. M'Guire, and Dr. Russell of Dublin, received the archiepiscopal Pallium. Their proxies, Dr. Fergus Lea, and Dr. Michael Plunkett, were to receive them on the same day, and as the inferior officers doubted which see should take precedence in the

ceremony, the matter was maturely examined and again decided in favor of Armagh. Dr. M'Guire is said, but I know not how truly, to have assisted Mr. Sheridan, Secretary of State, and commissioner of the customs, in drawing up a series of charges against the Lord Deputy, the Earl of Tyrconnel, which was laid before the king in 1687. The Lord Deputy retaliated on Sheridan by accusing him of receiving bribes in the discharge of his duties, and triumphantly vindicated his own conduct to the entire satisfaction of his royal master: but, not content with this, he is reported to have induced James to apply to the Pope for a coadjutor, (perhaps rather an administrator) to the see of Armagh. The petty revenge that suggested this unworthy insult recoiled on its author; Tyrconnel was deeply mortified by receiving, as might be expected, an unceremonious refusal from the Pope.

But to return to the petition of the bishops, and the causes of their expulsion from the kingdom. King James had adopted and used often repeat the maxims, that "nothing was more reasonable, more christian, or more politic than an universal toleration;" and hence, while he pledged himself "always to take care to defend and support the church of England, and to preserve the government, both in church and state, as it was by law established," he at the same time disapproved of the severities exercised against Catholics and Protestant dissenters, "issued out his royal declaration for *liberty of conscience*," and allowed *all* his subjects to hold all "*civil and military* places without taking the usual oaths and tests."\* In order to reduce this liberality to practice, as the parliament was not then sitting, the king, in imitation of his predecessors, dispensed in the penal laws, that prohibited any from serving in the army, in corporations or the magistracy, without having first taken the oath of supremacy.—A violent outcry was immediately raised and the whole Protestant community thrown into a ferment. The old Cromwellian independents, the later Presbyterian exclusionists, the church party, raised each their respective war-cry, no tyranny, no popery, the church in danger. Not a single drop of blood had been shed, not a frown cast on any creed, not an atom withdrawn from the power, the pomp, the princely revenues of the clergy. But not to persecute was in those days, it would appear, synonymous with being a bigot and an enemy to the church: not to extirpate papists was being a tyrant. A plan of rebellion was matured, and him whom they had in vain endeavoured to exclude, they now swore to expel from the throne. "A renewal of the royal declaration for liberty of conscience to all, though coupled with a special support of the established church, brought all things to a crisis." James was deserted, betrayed, and fled; and foreign armies aided by domestic rebels, re-established

\* Archdeacon Echard's Hist. of Revol. i. 61, 75, 76, 91. Leland iii. 498. Burnet's own times.

persecution on the English throne, and called it liberty. The Irish Catholics remained steadfastly faithful to their allegiance; James returning from France, unfortunately placed himself at the head of their army; but his fresh recruits being defeated on the banks of the Boyne, by a vastly superior number of Dutch, German, Danish, and English veterans, he again fled through Dublin and Waterford to France. The Irish troops continued the war for more than three years; at length the surrender of Limerick left William the acknowledged king of Great Britain and Ireland, whether by choice or conquest: but the terms of capitulation signed by king William, guaranteed to the Irish Catholics, *then in arms*, that same liberty of conscience for the concession of which James had been expelled and so much blood shed; and to complete the imitation, Catholics were allowed to serve in the army, &c., without the intervention of any act of parliament, but by the sole dispensing authority of the new king.

Immediately, the trade, the prosperity, the legislative independence of Ireland were smitten down, and sacrificed to the avarice of English merchants, and the domination of English Parliaments, so that the Irish Protestants, now, almost the only proprietors of the country, were made to pay dearly enough for their rebellion and bigotry. But while William continued embarrassed by a continental war, the articles of Limerick, notwithstanding the virulent declamation of the Bishop of Meath, that "no faith was to be kept with the Papists" were not *grossly* violated, except by one act of the usurping English parliament, excluding Catholics from seats in either house of the Irish senate, and requiring the oath of supremacy and abjuration, as a qualification for all civil, military, and ecclesiastical offices. No sooner, however, was the peace of Ryswick concluded, and the army of 20,000 exiled Irish disbanded, than national faith was disregarded, and new engines of torture invented for the Irish Catholics. They were first all disarmed, and turned out of every office, however paltry, although then perfectly tranquil, and as unwilling, as they were unable, to create disturbance or apprehension. Into the act for this purpose, was introduced a clause enabling every Protestant legally to rob Catholics of valuable horses, on condition of paying the owner £5 5s. Another act was passed, to cut off all foreign education, and thus brutalize the Irish who could not receive a Catholic education at home; the person educated abroad, and all persons concurring thereto were subjected, besides other penalties, to forfeiture of all their estates, chattels, and property of every kind. The following year, (1697,) the Irish legislature enacted a law to prevent inter-marriages between Catholics and Protestants that had property, which was by the very fact of marriage transferred to the next Protestant relative; the priest also who should solemnize such a marriage was subjected to a fine of £20, and a year's imprisonment; another act to prevent the reversal of outlawries by the king in favor of Catholics; another to falsify and violate the articles of

Limerick under pretence of confirming them. Nor were the Commons yet satisfied. They passed a bill, negatived, however, by the Lords, for depriving Catholics of the elective franchise and seats in parliament, and afterwards passed a resolution that the English law, to that effect, 3rd William and Mary, was of force in Ireland, that the 2nd Elizabeth, imposing heavy fines for absence on Sundays from the Protestant churches, should be enforced against papists, and “against *no other persons whatever*.” The subsequent acts of this parliament disabling Catholics from being attorneys or even game-keepers cannot excite surprise when it is remembered that two years before (in 1696,) they appointed a committee to enquire whether papists might be *coal porters*.

But these flagitious enactments, which are here mentioned only to shew to what a height the rage of savage intolerance was then carried, were all preceded by another in the same session of 1697, entitled “an act for banishing all papists exercising ecclesiastical jurisdiction, &c. It provided that all archbishops, bishops, vicars, deans, friars, &c., &c. and all papists exercising any ecclesiastical jurisdiction whatever in Ireland, should be for ever banished from the kingdom before the 1st of May, 1698; and if found there after that day, should be imprisoned during pleasure, without bail, and then transported for life: that in the mean time no archbishop, bishop, vicar, &c., &c., should *ever* land in Ireland from abroad after the 29th December, 1697, under pain of a year’s incarceration, and then perpetual banishment: and that if any archbishop, bishop, &c., &c. should in either case return from banishment, he should be judged guilty of high treason and die the death of a traitor. Moreover harbouring, or concealing them was punishable by a fine of £20 for the first offence, £40 for the second, and a confiscation of all estates and chattels for the third, the fines to be divided one-half to the informer, and the other to the king. All justices of the peace were obliged to give efficacy to the execution of this law, and to suppress all convents of friars and nuns, and all other popish confraternities and societies, under a penalty of £100 for each instance of negligence, and a perpetual incapacity for holding the same office.

These are the laws which tore away the venerable primate from his friends, his country, and his beloved flock, and cast him out, drooping under the weight of years to starve or beg in a foreign land and breathe his last sigh without a friend to console the agonizing spirit, or gather his lifeless bones to the tomb of his fathers. Nor was he the only victim. Of the 495 regulars then *known* to be employed in Ireland, 424 were shipped off this year, viz.: 190 from Galway, 153 from Dublin, 75 from Cork, and 26 from Waterford. The secular clergy, said to be 892 in number, were obliged by their office to remain with their flock at all hazards. The bishops whose personal attendance was not so indispensable, were banished, some to

Flanders, others to Portugal or Spain; but far the greater number to France. It was hither that Dr. M'Guire fled, (it would appear from O'Heyne, Burke, and M'Mahon in 1691, after the surrender of Limerick,) and he was followed by the archbishop of Dublin and Tuam, the bishops of Ossory, and Elphin. The archbishop of Cashel, courageously braved the terrors of death, rather than leave the whole church without a bishop, and on that account the history of the unparalleled sufferings of the Irish Church, during the remaining years of Dr. M'Guire's life, will find a more appropriate place in the history of Dr. Comerfort. Dr. M'Guire bore his exile with great fortitude, and died at Paris in 1708. His remains were interred in the church of the Irish Seminary, called the College of the Lombards.

As soon as Pope Clement XI., was informed of the decease of Dr. M'Guire, he selected, we are told,\* after attentive enquiry, Dr. Richard O'Heain, for his successor. O'Heain or Eno was a native of Connaught, and at an early age became a subject of the Dominican Convent of Burishool, in the County of Mayo. After having completed his ecclesiastical studies at Salamanca, he obtained by public concursus the professorship of theology in the convent of St. Mary Sanitatis, at Naples, and continued to deliver lectures there with great success and applause for 22 years, having been affiliated into the Dominican province of Naples.† His character had been for a long time very well known in Rome. He had visited the eternal city before his concursus at Naples, and was one of the six Irish Dominicans that attended the provincial John O'Connor, when he received possession of the College of St. Sixtus, &c., in 1677.‡ While professor at Naples, he received his appointment to the highest situation in the Irish Church, but such was his extreme humility and diffidence, that he earnestly and successfully besought his Holiness not to insist on his acceptance of the proffered honor. Some years afterwards, his zeal hurried him to the field of danger and fatigue. He became an apostolic missionary, came over to England, was appointed principal chaplain to the Spanish Ambassador in London, and there terminated his useful and edifying career in the year 1728.§

### HUGH M'MAHON.

HUGH M'MAHON, the succeeding primate, was born in the year, 1660, of pious and highly respectable parents. A lineal descendant of the ancient princes of Monaghan, he could trace a longer line of ancestry, and authenticate the nobility of his blood from a remoter century than the proudest potentates in Europe. But his father, although the very near relative of the last chief dynast of Monaghan, and perhaps the heir of his vast domains, saw himself reduced to

\* Bullarum Ord. Predicatorum Tom. viii. p. 521. Hib. Dom. 203, 499, 134.

† O'Heyne, p. 38, Hib. Dom. 321.

‡ Hib. Dom. 134, 371.

§ Hib. Dom. 321.



a very moderate competency : and the little he possessed was more probably the result of the accumulated gleanings of industry, than any income that had escaped the search, or had been restored by the justice or the compassion of the plunderers of his family inheritance. The zealous parents educated, spite of every law and every discouragement, three of their sons for the ecclesiastical state, and each of the three successively attained the highest dignity in the Irish Church. Hugh was sent to Rome at about the age of twenty-two, and devoted himself there with great assiduity and success to the study of philosophy, law, and theology. While in the holy city, he had the pleasure to witness, at the collation of the palliums already mentioned, the decision of the pontifical court on a question which was to immortalize his memory by calling forth, forty years afterwards, the display of his own talents and extensive erudition the primatial rights of St. Patrick's Chair in Armagh.

I have met but little documentary evidence of history from the termination of his academical studies to the period of his promotion to the see of Armagh. From a collation, however, of several facts and dates with each other, and with the tradition of the country, it appears extremely probable, that after he had taken out all the collegiate degrees, he was appointed professor in one of the Colleges of Rome. The see of Clogher being at this time vacant, was conferred on Dr. M'Mahon, in testimony of the Pontiff's respect for his piety, zeal, and ability ; and in truth, no man would then accept the barren and perilous title of a bishopric in Ireland, if he did not possess these virtues in a very eminent degree. From that see, or rather the title to it, (for it does not appear that he ever governed or even took possession of the diocese) he was translated to the primacy of Armagh, in the year 1708.

But what was then the condition of a Catholic archbishop ? The statutes passed under William and Mary were rigorously enforced ; and there are few that have not heard of the "*bloody laws*" of Queen Anne. She ascended the throne on the 8th March, 1702, the Whig party was restored to official power in England, they were omnipotent in Ireland among the descendants of the Cromwellian faction, and the 2nd Duke of Ormonde was appointed Lord Lieutenant, a son worthy of his father, first a tyrant, and then a rebellious traitor. His administration was opened by a law in 1703, to prevent the further growth of popery. It renewed the penalty of imprisonment, transportation, and death in case of return to the country, against all popish archbishops, bishops, vicars general, &c., &c., as inflicted by the statute of William and Mary in 1697—it moreover, enacted, that every popish secular priest should return at the quarter sessions, to be held after St. John's day, 1704, his name, residence, age, the parish in which he served, the time and place of his ordination with the name of the bishop that ordained him, and should find two Protestant securities for his obedience to the laws then in force, or

*hereafter* to be enacted—it provided that all priests not thus registered, should be banished from the kingdom before July 20th, 1704, that those that were registered should have no curate or assistant (or *successor*)—that all unregistered priests that would say Mass after June 24th, 1705, should be liable to all the punishments of bishops and regulars, and that persons harbouring them, and magistrates neglecting to persecute them, should be liable to the fines, confiscations, imprisonment, &c., provided against the harbourers of bishops, &c.

Hitherto, the penal laws *against the clergy*, regarded solely, or at least principally, the bishops, vicars general, or foreign regulars, and persons “exercising ecclesiastical jurisdiction,” which was meant to signify dignitaries of every kind, but chiefly persons who had, or were supposed to have co-ercive jurisdiction. The present enactment was formally directed against the parochial clergy, and was designed as a snare for their more thorough extirpation, and the total destruction thereby of the Catholic religion. For in 1709, another act was passed, that all popish registered priests (i.e. those whose names, residence, &c., they had craftily secured by the act 1703-4,) should take the oath of abjuration (denying Transubstantiation and declaring the Mass idolatrous) before the 25th of March, 1710, and in case of refusal or neglect should be punished as convicted regulars, if they performed any priestly function after that day—that no priest, though registered, could officiate out of his registered parish under the same penalty—that to the priests now registered, no others should ever succeed—that a reward of £50 be given for the apprehension of any popish archbishop, bishop, vicar general, or others exercising ecclesiastical jurisdiction, and £20 for regular, and non-registered, or non-abjuring priests—that a pension of £30 per annum be given to apostate priests—and that all popish schoolmasters and tutors, whether in public schools or private families, be subject to the same punishment as regular priests. Nor did the laity escape the savage ferocity that marked the fury of Protestant intolerance in those days. By an act that accompanied the above in 1703, Catholics were disabled to purchase lands, or to rent them by lease for ever or for lives, or for more than thirty-one years, or at a rent that allowed them any profit above mere subsistence,—they were disqualified to be the guardians of their own children,—to transmit the property to their sons unless by gavel-kind, to dispose at all of their lands, if any of their children became a Protestant; for the apostate son, however, profligate or immoral, was heir at law to all the property and disinherited his elder brethren—they were obliged to prove when called on by any magistrate, to produce before him any of their sons who might be suspected of being absent from the kingdom, or to prove that he was in England or Scotland—they were punished with premunire if they renounced the errors of Protestantism, or instructed others, or otherwise concurred to their

conversion. In fine they were disqualified for holding any office, place, &c., whatsoever, without renouncing their religion by the oaths of supremacy and abjuration. A clause was appended to this bill, when sent over from the Irish Parliament, by the English ministry, requiring the reception of the sacrament according to the Anglican rite, as an additional condition for office. The object of the ministry, it is said, was to defeat the bill, by causing the Irish Parliament to reject it when they would find the Presbyterians the bitterest instigators of the original bill, involved in the same exclusion as the Catholics. But, however, this may be, the Presbyterian party could not be restrained even by self-interest from the gratification of persecuting the Catholics: they complained of the addition, but as all or none should become law, they passed the entire, calculating at the same time, that by their majority in parliament, the sacramental test would be repealed the following session. In this, however, they were, by a just dispensation of Providence, disappointed for many years.

These are but a few of the tyrannous enactments, miscalled *laws* passed under the last of the Stuarts. The Church of England had already recognized for its head in *spirituals* and temporals, at different intervals, four Catholics, two Calvinists, and one Brownist or Independent, and only four out of eleven heads that did not at one time or other reprobate the doctrine of the Church. During the primacy of Dr. M'Mahon, it obeyed the spiritual and ecclesiastical supremacy in doctrine and discipline of another sect of heretics in the persons of George I. and II. both publicly professed Lutherans. The house of Brunswick, like that of Stuart, got credit from the Catholics, and perhaps justly, for being averse to persecution, and whether they followed their own inclinations, or yielded to the spirit of the Church that adopted them, the infernal engine of intolerance, which the ingenious inventors of Anne's legislation deemed incapable of further improvement, was furnished with several new hooks and scourges under the two first of the Georges. It was then that the elective franchise, the profession of the bar, of attornies, six clerks, &c., &c., were taken from Catholics, at the instigation of the tyrannical and avaricious Primate Boulter, and it was then also, that under the same patronage, the bill was introduced for mutilating such priests as could be found lurking in the country, in a manner revolting to decency and humanity.

At the time these iniquitous bills were passed, no danger could be apprehended, not even by pretence from the Catholic population. Their spirits were broken down by the victories of William, their bravest soldiers had abandoned the country in despair, their estates had been taken away, and their power annihilated. Religion taught them loyalty to their sovereign; they bled for King James, and fought against the Protestant rebels to the last—the voice of the nation, the prescription of time, the public tranquillity and interest of

the state had now converted rebellion into revolution and legitimized the usurper; and hence, when the Catholic heir of their favorite monarch attempted in 1715 and 1745 to recover his lost dominions, not a single Catholic raised an arm to maintain his pretensions, nor did Ormonde, lately Lord Lieutenant, then a rebel chief, corrupt, or even dare to tempt the fidelity of his own Catholic tenantry. In fact, during the seventy years that followed 1691, not only the political existence, but also the ordinary activity of physical life appears to have been half extinguished in them; history after relating their torpor and submission scarcely ever adverts to their existence except when quoting the records of law or the annals of persecution. On the other hand, the dates of these laws are the dates of the halcyon days of England's glory; prosperous at home and triumphing in victories abroad they passed and executed these laws with rigorous severity; it is painful to add, that the occasional intermissions of rigor before the accession of George III., perfectly synchronize with the reverses of England's fortune, and appear to have been rather wrung from Protestants by the apprehension of danger, than yielded by remorse or by humanity.

Public morality could not possibly escape the corrupting influence of such atrocious enactments. Dissimulation, hypocrisy, perjury, robbery authorized by law, and robbery beyond its licence of those who dared not publicly demand redress; wanton cruelty, shameless perfidy, and almost every social vice were encouraged and prevailed to an extent unknown in any savage or civilized country in the world; the noble feelings of patriotism were deadened in one party by the apathy of despair, and in the other party were buried in the pride of ascendancy, the exorbitance of tyrannical power, and a tame servility to foreign usurpation the source of both: men abandoned the pursuits of industry to amass fortunes by the more rapid and easy means of informing, of robbery by law, and of swearing or forswearing against innocent blood: parents distrusted their own children and children rebelled against, and were tempted to murder their parents.

During the reigns of Anne and George I., many of the nobility and principal gentry, in order to preserve their property, abandoned the external profession of the Catholic faith. The motives of these apostates might be easily conjectured from the time and circumstances of their change, if spiritual motives had not been frequently disavowed by themselves; their number and the estimation in which they were held even by Protestant prejudice may be inferred from the letters of Swift and Primate Boulter. The Primate speaking of the profession of the law in which such apostacies were most numerous, says: "The practice of the law, from the top to the bottom, is at present (1727) mostly in the hands of new converts, who give no farther security on this account, than producing a certificate of their having received the sacrament in the Church of England or

Ireland, which several of them who were papists at London obtain on the road hither, and demand to be admitted barrister in virtue of it, at their arrival; and several of them have popish wives, and Mass said in their houses, and breed up their children, papists. Things are at present so bad with us, that if about six should be removed from the bar to the bench here, there will not be a barrister of note left that is not a convert." In another letter he says, when eight or ten Protestants are set aside, the rest of the bar are all converts; much the greatest part of attorneys, solicitors, deputy officers, sub-sheriffs, sheriff's clerks, are new converts," and also that "after their real or pretended conversions," they likewise pretend that the children born after their conversion are not included in the clause about educating their children Protestants, and hence these were educated in the creed which the parents had pretended to renounce, but still continued to prefer. The children thus educated Catholics, familiarized to hypocrisy and corrupted by the bad example of their parents, having but little regard for any religion, when their day of ambition arrived generally imitated the sordid inconstancy of their fathers without imitating their zeal or repentance. It is true there were many exceptions. The converts generally returned to die in the true church, the Catholic children sometimes preferred the camp of Israel in the desert to the court of Pharaoh, even the children educated Protestants very often brought up their own children in the Catholic religion. But Boulter soon shut up these avenues of repentance, for, in 1727, he passed a bill providing, 1st. that all converts should make the declaration against popery, and take the oath of abjuration, and 2nd. that each should have persevered five years a Protestant, before his admission to the bar or other law offices, 3rd. that all converts of whatever profession, and all Protestants should educate all their children under fourteen, Protestants whether born before or after their conversion, and that they should be liable to premunire if they failed in any one of these points. Boulter had much apprehension, and the Catholics much hope, that the English ministry would not advise the king to sanction this bill, and that the foreign ambassadors would apply for its rejection. But the primate interested the duke of Newcastle, the bishop of London, and others in its support, and it eventually became law.

This statute diminished the number of apostacies by cutting off the hope of return: but it thereby diminished the Catholic population still more effectually. Several other concurrent causes had within the last forty years vastly reduced their number. In 1691, an immense multitude followed the unfortunate James into France. Since 1711, a recruiting party was actively enlisting soldiers for the French and now for the Spanish service, with the sanction of the English Government, and in 1727-8 oppression drove hundreds of the rich, and a horrible famine of three years continuance, arising out of the laws against popish farmers, drove thousands of the poor

to seek shelter and subsistence in exile. "Their nobility and gentry" says Dean Swift, "are, at least *one-half*, ruined, banished, or converted—some of them are already retired into foreign countries; others, as I am told, intend to follow them, &c."

Until the land of Ireland deluged with the blood of its inhabitants was overspread with the soldiers of Cromwell, the proportion of Catholics to Protestants of every sect could at no time have been less than fifty to one. The whole population in 1672, according to the official census of Sir William Petty, amounted only to 1,100,000, the Catholics being 800,000, the Protestants 300,000, i.e., in the proportion of eight to three. But the penal laws having been comparatively inoperative during the reign of Charles II., the same Sir William Petty referred to by Leland, states that before the end of that reign Catholics were to Protestants as fifteen to one. The proportion was of course considerably increased during the reign of James II. The subsequent war, the popery laws, the prohibition against ploughing retarded the progress of population, and hence Dean Swift estimated the entire in 1724 and 1731, only at one million and a half. However, by an exact enumeration taken in 1731, the population amounted to 2,010,221, but so effectively had persecution, cruelty, and starvation decimated the Catholics that they who forty years before were fifteen or twenty times more numerous than the Protestants, were not now double their number. The Catholics amounted only to 1,309,768, the Protestants to 700,453. The gross population had increased in 1752 to 2,317,584, but Dr. Burke was of opinion that the Catholics had not increased; nay that by the operation of the penal laws, the charter schools, &c., they had decreased from 1731 to his own time (1762,) not only in their relative, but also, in their absolute numbers.

I shall add but one feature more to this brief outline of the Irish Church at the time that Dr. M'Mahon became its primate. The extirpation of the clergy, and thereby of the Catholic religion, was the main object of the sanguinary code of Queen Anne. Against them alone were corporal punishments enacted. The mass of the people were not directly assailed, it being supposed that they would speedily imitate the apostacy of their landlords and leaders: insecurity and privation of property, disqualification for office and honors, and preclusion from every lucrative profession or respectable employ-

\* This enumeration was published in the almanacks of the day, and in several other publications, and seems to have been calculated on the government census of all the houses in the kingdom not on a census of the priests (who dared not then appear in public) as Dr. Duigenan ignorantly or maliciously asserted. The government calculation represented the proportion of Catholics to Protestants, as being two and a half to one, and primate Boulter who always loved to be "*splendide mendax*," as being five to one—but both are universally allowed to have heightened the proportion on purpose to excite alarm, and to create an argument for the establishment of the Protestant charter schools.

ment were the penalties inflicted on the constancy of the wealthier classes ; but the clergy were moreover subjected to imprisonment, to exile, and if they returned, to the shocking and ignominious death of traitors. Whatever effects were produced among the gentry, the laws against the clergy utterly failed of success ; nay, the bill of 1709, that was expected to scourge them universally out of either their religion or their country, eventually increased their numbers.

We have seen already that nearly all the bishops, vicars, and regulars obeyed the act of 1697, obliging them to banish themselves from the country. That act left the parochial clergy comparatively secure ; and hence the bishops seeing that their actual presence was not absolutely necessary, and that they alone were aimed at, justly thought they should fly from persecution into another city according to the precept of the Saviour, and the example of many of the saints. Even those, who through love of country or a desire to suffer for the faith, were anxious to remain, dreading lest their disobedience should provoke a general persecution of the secular clergy, offered themselves as victims to propitiate intolerance and went into exile. But before they departed, they took care to provide for their flocks an increased number of secular priests, and to invest proper persons with all the necessary powers to govern their dioceses in their absence. The insidious registry act of 1703-4 harassed and insulted the priests, and restricted their ministry, but it permitted as many of the *parish priests*, then living, as would register their names, residence, &c., and find security, &c., to continue in the country. In general they complied with the condition, and we find by the official registry that there were more parish priests in the Island in 1704, than there are at the present day. But when these men began to die off, and it became penal for any priest, whether regular or secular, whether registered or unregistered, to officiate at any future time in the vacant parish ; (for the act of 1703 had so provided,) and still more, when the act of 1709 proposing the oath of abjuration and allowing no priest to say Mass until he had sworn that the Mass was idolatrous, had equalized the penalties and the danger of all non-apostatizing priests ; then it was that the exiled bishops and clergy with a generous contempt for life, a noble heroic zeal not often equalled and never surpassed in any country or at any time, returned fearlessly to the field of martyrdom.

So early as 1708, some few of these champions of the faith had returned ; the number of arrivals successively increased each following year ; until there was scarcely a creek on the Irish coast where three or four did not effect a landing, or a port that was not honored by the entry of these contraband imports. It is not that persecution slept or that government relaxed its vigilance. A system of espionage which the Sicilian tyrant might envy, was established at home and abroad ; the trade of a spy or priest catcher was by a resolution of the parliament declared an honorable profession ; and

when such authentic eulogy added to the reward of £50 per head could not create a sufficient number of villains in Ireland, nor induce them to stifle the cry of nature and brave the public execration that followed such a calling, the government scrupled not to hire unbelieving Jews to hunt and ferret out the heroic ministers of the priesthood of Christ. By means of a Portuguese Jew called Garcia, seven priests at once were taken together in Dublin, and transported: by similar means, the bishop of Elphin, but lately consecrated at Rome, with the utmost secrecy, and now disguised under the garb and name of an Italian, was apprehended the very moment he landed in London, and after being told his real name, his history, and the date, the place, the assistants and all the circumstances of his consecration by a secretary that had never seen him before, was imprisoned and transported in 1708. In some instances, ships were refused admittance into the Irish ports because they were known to have bishops or priests on board, although there was none to identify their persons—in others, mayors or governors received letters of severe reprimand from the Castle for neglect, having discovered such persons, on the second or third day after the vessel in which they sailed had reached the harbours mouth. Through such means in a word, hundreds of priests were taken away, but their places were soon filled up by others,

There were on the other hand, and I mention it with grateful pride, there were in every part of the country some Protestant gentlemen who afforded in their houses, an unsuspected asylum to the hunted priests; there were Protestant magistrates, who disregarded the censures of parliament and the commands of the Castle, to hearken to the voice of humanity and to merit the applause of conscience. Even the more bigoted were sometimes softened into pity by the excess of clerical suffering, or warmed into admiration by their noble, disinterested, courageous zeal. But there was above all, a religious and enthusiastically affectionate people that shared the last potatoe with the priest, that sighed and prayed for his safety, and often kept sentinel, round the bed in which he snatched a few hours of fright-broken sleep. Never was there a people more worthy of, or blessed with a more magnanimous priesthood.

The contests between the Whigs and Tories diverted the attention of both for a little while from the Catholics, and as the Tories the less virulent of the two, were superior during the three last years of Anne; the priests were not altogether so closely or so universally pursued. But the volcano rested only to pour out its scorching lava with more destructive fury. The Whigs were restored by George I., and immediately denunciations were thundered against the growth of priests and popery: the inactive magistrates were proclaimed by parliament to be enemies to the Hanovarian succession and abettors of the Pretender and treason, and this at a time when the Catholics of Ireland were most conspicuous for loyalty. New laws and fresh denuncia-



tions rapidly succeeded each other in 1715-18-23-1727-28-29-31, &c., and every species of calumny was circulated to alarm the fears and embitter the virulence of the Protestants; the spies were well paid, and of course multitudes of priests were seized. But in vain did they send these men to gaol, they preached in prison by word, by letter, and example: in vain did they transport them--they returned by the next tide: in vain did they hang and quarter them--the ministry ennobled by their martyrdom became an object of higher ambition; and the faith irrigated with their blood, grew up with greater strength and luxuriance. After the *inhuman* struggle between zeal and intolerance, had lasted thirty-four years, a committee of the Irish lords discovered that there were then more priests in Ireland than when they first began to extirpate them. In 1697-8 there were in the kingdom but 892 *secular priests* and 495 friars; in 1704 there were 1080 parish priests that registered, besides others with curates and some few friars that did not or could not register; and in 1731, the Lords ascertained, there were 1445 secular priests, besides many others of whom they had no information. They also discovered that there were several bishops and archbishops, 254 friars, 9 nunneries, 892 Mass houses, besides huts, sheds, and moveable altars, and besides moreover, 54 private chapels; and that there were also 549 popish schools. Indeed if any credit be due to the designing primate Boulter, there were here in 1727, "near 3000 popish priests of all sorts." Nor were they idle or unskilful laborers; for he next adds, "till we get *more* churches, and *resident* clergymen, instead of getting ground of the papists, we must lose to them, as in fact, we do in many places, the *descendants of many of Cromwell's officers and soldiers* here being gone off to popery."

From the general sketch of the condition, to which the Irish Church was reduced during the entire period of Dr. Hugh M'Mahon's administration of Armagh, a more full and authentic knowledge of his life may be collected, than from a detail, however copious, of traditionary anecdotes. Translated to the see of Armagh in 1708, (as was said before) he shortly after repaired to his diocese, and put himself at the head of these undaunted confessors, who "recovering strength from weakness became valiant in battle;" and immolating their own lives for the covenant of their fathers, "wandered about in sheep-skins, in goat-skins, being in want, distressed, afflicted, of whom the world was not worthy, wandering in deserts, in mountains, and in dens, and in caves of the earth." Wretched as was the condition of the clergy and people in the other provinces it was still worse in Ulster. The Catholic population were miserably poor, and were not near one-half of the Protestants in number, the latter being by the census of 1731, reckoned at 360,632, the former only at 158,028. The nine counties of Ulster, with a population more than double that of all Connaught, had in 1704, only 191 priests, while

there were 195 in only three counties of the latter province. The rancorous intolerance of the dissenters, and the severity of the magistrates unmitigated by any of the checks that restrained it in other parts, also concurred to heighten the peril and aggravate the sufferings of the northern mission.

In better times, the see of Armagh supplied the venerable Plunkett with no better accommodation than a little thatched house, and a revenue under £70 per annum: if Dr. M'Mahon had a dwelling he dared not always inhabit it, and his revenue must have been quite inconsiderable. During a great part of his time, he was obliged to wander about from place to place, often saying Mass, and administering Confirmation in the open air, or under the arch of a deserted lime-kiln, or in the solitude of the wood, or the sequestered valley; for, except in Louth, he had scarcely a chapel in the entire of his extensive diocese. Under his care, the vineyard of Christ was soon supplied with an increase of zealous and intrepid laborers, by whose assistance, sinners were reclaimed, the dying and the penitent consoled, and apostates and externs brought back to the fold in such numbers, that Boulter soon began to complain. The excessive labors he took upon himself in the beginning of his administration, added to the privations he was obliged to endure, soon impaired his constitution; but in spite of debility and peril, he continued to the end of his life, frequently to visit every part of his diocese, correcting, consoling and instructing all unto salvation. With indefatigable zeal he preached to every congregation as he passed; and his discourses distinguished by a bold, nervous, manly, eloquence, (to which the Irish language is so well adapted), and delivered with great earnestness and unction, convinced the understanding, and uniformly produced a powerful impression. History may not deem the religious performance of ordinary, though arduous, duties sufficiently remarkable to claim its notice; but it was in such duties alone Dr. M'Mahon delighted, and it was by the exactness and perfection with which he discharged them, that he became a truly great and extraordinary prelate, and it was on them he calculated for that glorious immortality which he alone ambitioned.

His memory, however, has been perpetuated also among men by the establishment of permanently useful institutions, and by the productions of his pen. About 1721, Dr. M'Egan, then provincial of the Dominicans, afterwards bishop of Meath, applied to the primate for permission to found or re-open a convent of Dominican nuns at Drogheda. The zealous prelate perceiving the advantages that would accrue to religion in his diocese from such a community, not only gave his sanction to the proposed convent, but also zealously co-operated in its effectual establishment. Accordingly a house was procured on the north side of the Boyne, and with the permission of the general of the order, Mrs. Catherine Plunkett, a lady distinguished not less by great piety and prudence than by her illustrious birth,

was appointed the first prioress. This lady originally made her profession in the convent of Galway ; but when persecution converted that house into a barrack, and threw its pious inmates on the world, she retired for a short time to her friends. Seeing no prospect of being restored to her convent, she went over to Brussels in 1716, and remained there in the English Dominican nunnery till she was commanded by her superior to take charge of the infant establishment in Drogheda. Under her prudent administration the house rapidly progressed ; and providence preserving her life for about forty years afterwards, she had the consolation to leave it in a most flourishing condition, with a numerous and well regulated school of boarders, and eighteen religious sisters from the most distinguished Catholic families of the country, such as O'Neil, O'Reilly, Plunkett, Bellew, Taafe, Dillon, &c., &c. The religious sisters of Sienna House, (for so the new convent is called) in testimony of their gratitude to their founder, procured a very fine portrait of Dr. M'Mahon, which together with another of Dr. Burke of Ossory, and the sacred head of the venerable Oliver Plunkett is still preserved there with becoming respect. This painting represents the primate as a man "of florid complexion, and with a countenance strongly expressive of candour and intelligence."

Dr. M'Mahon is well known to have been a man of superior talent, and deeply read in every department of professional erudition. In moments of relaxation he occasionally indulged his piety in the composition of sacred hymns in Latin, and several of these pieces among which the canticle of Moses, still extant, sufficiently evince that nature had endowed him with a rich vein of poetic genius. But the work by which he is principally known, is the famous *Jus Primatiale Armacanum*. Dr. Plunkett, it will be remembered, wrote a treatise on this subject to which Dr. Talbot replied: this reply had now remained fifty years without any refutation, because Plunkett had been prevented by death from publishing the rejoinder he had fully completed, and the manuscript itself had been lost during the troubles of the Revolution. The controversy lay dormant during the administration of Dr. Maguire ; his precedence was recognized by the other archbishops, and he even successfully exercised primatial jurisdiction in cases of appeal. A fresh instance of appeal forced Dr. M'Mahon's attention to the subject, and revived the unseemly dispute about hierarchical prerogatives at a period when persecution was furiously raging and the civil laws did not allow a bishop even to breathe in the kingdom. The primate suggested the propriety of terminating the dispute between the appellant parish priest and his archbishop by arbitration ; but this expedient having failed, he thought himself bound in justice to the appellant to redress his grievance, and bound by his oath of consecration to defend the rights of his see. Accordingly, he proceeded in legal form to cite the parties before him, to which the archbishop of Dublin naturally paid no attention ; and after allowing them five months to appear

he proceeded to receive the depositions of witnesses, and finally pronounced his decision in favor of the parish priest. It was substantially to the following effect, that whereas, the parishes of St. James's and St. Catherine's, in the city of Dublin, have been united from time immemorial, and that it appears in evidence they were held together by one and the same pastor during the last sixty years and conferred as such by five successive archbishops on five successive parish priests, and finally were conferred on the present appellant by the present archbishop, and quietly possessed by him during eight years, these parishes, therefore, do not constitute two distinct incompatible benefices, but one united parish: and whereas, these parishes are so contiguous that all the parishioners can frequent the parish church for Sacraments, and that it is not even intended to erect a second church if separated, and therefore, the Ordinary, even as delegate of the apostolic see, cannot divide them without the consent of the incumbent, hence the collations of St. Catherine's on another pastor, as also the excommunication of the appellant and the suspension of his coadjutors, have all been null and void from the beginning, and are hereby annulled; and moreover, the appellant shall continue to hold these parishes, and shall be indemnified for all the fruits during the appeal, and for all the costs and expenses of the suit. But before this decree was passed, Dr. Byrne, the archbishop of Dublin, had applied to the holy see, requesting it to appoint an Apostolic delegate in Ireland to decide on the original appeal, and expected, it is said, that the commission would be given to himself, or some other than the primate. However, Clement XI., terminated the dispute by recalling or reserving to himself the cognizance of the case, and after getting over the above decree with all the evidence and arguments on both sides, and submitting them to the sacred Congregation de Propag. Fide, passed in 1719 his final decree substantially agreeing with that of Dr. M'Mahon. A revision of the case having been obtained the following year, the pope after mature deliberation, again repeated his former decision.

Dr. M'Mahon now felt it a duty that he owed to his own character, to public edification, to the integrity of church discipline, to his see whose rights he had sworn to protect, and to posterity, to place beyond the reach of future controversy his claim to that primatial jurisdiction which he had lately exercised. With this view he undertook his "*Jus Primatiale Armacanum*," at a time when he was overwhelmed with pastoral duties, and exhausted by fatigue, age, and many infirmities: and if we add to this, that while writing it he had neither security nor a fixed dwelling, but was obliged frequently to change from one place to another, and had very little opportunity of consulting books, I doubt much whether the country ever produced a volume more creditable to the talents, and at the same time, more indicative of the astonishing erudition of its author, in jurisprudence and theology. No new arguments had been adduced

during the recent contest: those that Dr. Talbot published were alone advanced. Hence, the primate, in a spirit of charity, and to avoid the danger of giving personal offence, directed his reasoning against that book, and never once names Dr. Byrne, the then archbishop of Dublin, and scarcely alludes to his opposition; to obviate the danger of scandal to the weaker brethren he wrote the entire in Latin. This learned work, which is a consecutive piece of reasoning from beginning to end, is divided into three parts: the first is devoted to prove by direct arguments the primatial dignity and jurisdiction of Armagh, the second contains a triumphant refutation of all the arguments adduced by Dr. Talbot in favor of the primacy or the exemption of Dublin, and the third replies to all the objections made by Talbot against the claims of Armagh or the arguments advanced to support them. Each of these parts is treated with the utmost perspicuity, strength and ability; the work was fully completed and received the approbations of the bishops of Clogher and Ardagh, &c., in the end of the year, 1724.

In the mean time an anonymous and very intemperate treatise had been written in English on the same subject, but against the primacy of Armagh, and gradually received considerable circulation in manuscript. It was industriously whispered about, that Dr. Christopher Butler, the archbishop of Cashel, was its author, and the report was believed until his grace solemnly denied the imputation. Even after it was ascertained to be the production of a Rev. John Hennessy, a Jesuit of Clonmel, it still continued to be said that Dr. Butler approved of it, and co-operated in its circulation. This acrimonious *brochure* happening to fall at length into the hands of Dr. M'Mahon just when he had prepared for the press his "*Jus Primatiale Armacanum*," he resolved to defer the publication until he had written a refutation of his unknown antagonist. The whole was at length published in 1728, the reply being added to the '*Jus Primatiale Armacanum*' as an appendix, or rather as a second volume under the title of "*Prosecutio ejusdem argumenti contra anonymum*." This elaborate treatise is universally acknowledged to be the best that ever appeared on the primatial controversy; indeed it must ever continue a standard work, for it has totally exhausted the subject.

Dr. M'Mahon never took an active part in politics: the stillness of death pervaded the whole Catholic body during his time. The fury of intolerance began to abate towards the end of his life, and these last few years were past in comparative security and comfort. He carefully husbanded his little revenue that he might be able to relieve the indigent; he practised the strictest economy in his own expenses, that he might be liberal to the poor and the unfriended. He died in the *city of Dublin*, on the 2nd of August, 1737, in the 77th year of his age,\* and was buried in St. Peter's Church at Drogheda.†

\* An Essay towards the history of very Rev. Thady O'Brien. writers, p. 195.

† Harris's

## BERNARD M'MAHON.

DR. HUGH M'MAHON was succeeded in the primacy by his brother Bernard, whose family and circumstances have, therefore, been already noticed. Bernard, also, was sent at an early age, to receive his education at Rome; and after having applied himself with success to the course of studies adopted in the Ludovisian College, returned, in days of terrific danger, to feed the flock of Christ in Ireland.

In the registry of parish priests, taken by order of parliament, in 1704, I find that a Bernard M'Mahon was then P.P. of Tullycorbet, in the County Monaghan, and since there was no other priest of that name in any part of his native diocese I deem it not improbable, that our prelate was then pastor of that parish. If this conjecture be correct, he must have been older than his brother Hugh; for he is there stated to be 55 years of age, and to have been ordained in 1672, at Ardpatrik, by the venerable Oliver Plunkett. However, much accuracy could not be expected in so odious a document; the persecuted priests had many inducements to make an incorrect return, and it is quite obvious that the returns they did make, were very often falsely registered.

When Hugh M'Mahon was translated to Armagh, Bernard was appointed in 1709, to succeed him in Clogher; and after he had governed that diocese with great zeal and ability for twenty-nine years he was, on the death of his brother, translated to Armagh. He rented a very humble cottage at Ballymascannon in the County Louth, and there fixed his ordinary residence. It is not difficult to judge of the temper of these times, and the condition of the clergy in his day from the simple fact, that when his grace was at home, he dared not stir out of his own house, but was obliged to lead a sort of prison life there; and when he travelled from parish to parish, he found it necessary to change his name, and pass under the assumed appellation of Mr. Ennis. When such was the condition in and after 1740, of a very aged, inoffensive, and highly respectable prelate, in the Catholic County of Louth, amidst a large number of Catholic gentry, and with a liberal and comparatively indulgent magistracy, we find it hard to believe that the active clergy of other places enjoyed much security.

Bernard M'Mahon lived to a very advanced old age. His whole life was remarkable for humility, holiness and simplicity, and sixty years of it had been devoted exclusively to the promotion of God's glory and the salvation of souls. I have not yet found any record of the precise time of his death; but certain it is that he had governed the church of Armagh but a very few years, when the Almighty called him to receive the reward of his labors.

## ROSS M'MAHON.

ROCHE, OR ROSS M'MAHON, the brother of the two preceding primates, succeeded them, first in the see of Clogher, and afterwards in Armagh. He too received his ecclesiastical education in the Ludovician College at Rome, and, if I mistake not, was the Ross M'Mahon who labored strenuously with the holy see in 1719, to effect an extensive reform in that establishment, by improving the treatment and studies of its inmates, and by restoring its misappropriated funds to their original destination, not the aggrandizement of a particular society, but the general interest of an impoverished and persecuted nation. The only priest of this name, that I find in the registry of 1704, had been ordained by Dr. Oliver Plunkett, at Rodseallach in 1678, and was in 1704, parish priest of Enniskillen and Donoghmine, in the County of Louth.

The archbishop survived his promotion but a very few years, and hence it is that few records of his administration of either diocese have descended to our times. However, he lived long enough in each to excite a great admiration of his virtues, and to make him be remembered for many years with affection, as a truly pious and charitable prelate. I have not discovered the precise date of his decease, but from what will be said of his successor, I infer that it must have occurred about the year 1748, or 1749.

## MICHAEL O'REILLY.

MICHAEL O'REILLY, the next archbishop, was descended from the ancient and powerful family of that name in Cavan, in which county he also was born. He was one of those magnanimous priests, who after qualifying themselves for the ministry in foreign colleges,\* returned during the fury of Queen Anne's persecution, to resuscitate the faith in Ireland, or at least to preserve it from total extinction. Superior talents, and industrious application to study, had earned for him an accumulation of academic honours during his course of philosophy and divinity; and before his departure he had graduated as doctor of Theology, and of both canon and civil law. His native diocese, Kilmore, was, for two years, if I mistake not, without a bishop when Dr. O'Reilly returned home. The learning and humility of the young doctor, his prudence united with untiring zeal and an

\* Dr. O'Reilly studied at Rome, (in the Propaganda I think) where a correspondence between him, and primate Hugh M'Mahon, and also a cahier of his uncle with his marginal remarks, are still preserved in the library of Propaganda. Two at least of the M'Mahons studied in Rome.

heroic disregard of personal danger, soon attracted general attention, and he was appointed parish priest of Cavan, and vicar general of the vacant diocese, by the neighbouring bishop who was charged with its guardianship. The primate of that day, Dr. Hugh M'Mahon, honored him with his especial confidence and intimacy; to his judgment his grace submitted his famous '*Jus Primatiale Armacanum*,' and so highly did he appreciate his approval, that he took care to prefix it to the work in print. The terms in which the approbation is conveyed shew that the primate's esteem was not misplaced, nor undervalued. The testimonial, although brief, sufficiently displays the strong and well-stored mind, the classic taste for latin composition, and the affectionate respect and admiration of its author for the venerable archbishop.

In the year 1728, Dr. Michael M'Donagh, a Dominican friar, was appointed in his 29th year bishop of Kilmore, and consecrated on the 12th December by his patron Benedict XIII., a Dominican also. But as he still continued at Rome, where he was made one of the pope's domestic prelates, and for some time confessor to the famous pretender, Charles Edward Stuart, the diocese remained under the sole administration of Dr. O'Reilly until the end of 1730, when Dr. M'Donagh returned from Rome after the death of his patron. The repose and security thus procured were not of very long duration; he was in a few years called to discharge duties still more arduous and on a field of greater danger, by his unexpected promotion to the bishopric of Derry.

This diocese suffered more from persecution than perhaps any other in Ireland. During the whole of the 17th century, it was bereft of a bishop, owing to the virulent spirit of the Scotch and English planters, and the general extirpation of the Catholic proprietary and population. Hence it was, that from the year 1604, when the blood of the holy prelate, Redmond O'Gallagher, was shed for the faith, unto the days of Dr. O'Reilly, Derry had seen no bishop of its own, but was managed by a vicar under the tutelary superintendence of one of the adjacent bishops. It is not improbable that, in such circumstances, the new bishop required rather to create than to preserve ecclesiastical discipline, rather to plant than to cultivate morality and religion. Dr O'Reilly set himself at once vigorously to the task, and his efforts were crowned with surprising success. The people were peculiarly ignorant, and had few, if any, fixed places of assembly for religious instruction. To obviate this evil, besides other remedial measures, he published two excellent catechisms, one in English for the use of the newly converted colonists, the other in Irish, the language at that time generally spoken in his diocese. So solid, accurate and well adapted to the wants of the people was the instruction conveyed in these little abridgments of the Christian doctrine, that they were immediately introduced into the other dioceses of the province, and although several other



catechisms have been since published, yet even to this day, O'Reilly's retain the greatest share of circulation at least in Ulster.

In the midst of this laudable career, Dr. O'Reilly received from pope Benedict XIV., the unsolicited Bull of his translation to the see of Armagh, vacant by the death of Ross M'Mahon. Here he had to contend with difficulties of another kind, The blaze of persecution not regularly fed by the blood of the martyrs had been for some gradually expiring, and had at length dwindled into a rambling flame, showing itself to-day in one county, to-morrow in another. The clergy, it is true, dared not to avow their character, nor the Catholic slaves shew dissatisfaction with their chains, but while they remained concealed, no reptiles were systematically employed to dislodge them from their retreats, unless, perhaps, now and again to gratify the caprice or malice, or bigotry of some little local persecutor. But after about twelve years respite, a general conflagration was again rekindled by an ill-advised viceroy. On the 28th February, 1744, the Duke of Devonshire, a name since endeared to Irish feeling by acts of humanity, liberality, and splendid beneficence, published a proclamation commanding the magistrates to hunt out all the clergy, and offering an additional reward for the apprehension and conviction of every priest or bishop. £50 were hitherto the highest price for catching a bishop, and £20 for a priest; £150 more were now added to the former, £50 to the latter, and £200 for the conviction of those gentlemen that might afford them lodging, entertainment or shelter. The reward was to be obtained until October 1st, 1745, but his grace's humanity, shocked at the loss of life and other atrocities caused by his own decree, soon discountenanced its execution, and before the term had elapsed, Chesterfield entered on his more liberal, or more crafty administration.

During this tempest, the bishops and clergy flocked from every part of the country into Dublin, as to a place, where amidst multitudes of strangers and a vast population their concealment would be more practicable. Some of Dr. O'Reilly's official letters, are still preserved, that were written on this occasion from an alley in the metropolis for the regulation of his clergy in the administration of sacraments. When the storm subsided he returned to his diocese under an assumed name, and during his government of Armagh he resided in a farm house in the parish of Turfegin near Drogheda. He soon resumed his former labourious exertions, reforming abuse and teaching his clergy by word and example to apply themselves unceasingly to the instruction and sanctification of the people. In his latter years the dawn of toleration began to appear on the horizon; even the Protestant bishops yielding to the influences of the crown and the request of the government opposed the enactment of further penalties on the ground of religion. His active mind seized the opportunity for perfecting ecclesiastical discipline and correcting abuses which necessity had introduced during the "long night of bondage." He knew very well the difficulty of

changing ancient usages, however imperfect; but though the task was arduous he fearlessly resolved to effect it. With this view he is said to have often visited the chapels on Sundays, taking the priests by surprise, and if he found the altar, the vestments, the instruction of the children, or the people, &c., &c., neglected, sometimes to have rebuked them publicly with a severity more creditable to his zeal than his discretion. This laudable encroachment on what was called ancient privileges provoked a strong opposition from a portion of his clergy particularly in Louth; who, headed by a William Traynor, systematically resisted his plans of improvement, and embittered the last days of his existence—it is even reported that their violent demeanour brought him prematurely to his grave. He died at Turfegan, in the year 1758, and was buried in the Chord, outside St. Laurence's gate at Drogheda.

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### THE RIGHT REV. ANTHONY BLAKE.

THE RIGHT REV. ANTHONY BLAKE, then bishop of Ardagh, succeeded Dr. O'Reilly in the see of Armagh. He was the son of ——— Blake, Esq., of Dunmacreene, in the County of Mayo, a gentleman of an ancient and respectable English family, who inherited a handsome remnant of their former possessions, which its seclusion amid loughs and mountains, and its remote situation at the extremities of the counties of Galway and Mayo had luckily saved from spoliation. After receiving his education, probably first at St. Omers, and afterwards at Louvain, he returned to the mission of his native diocese, Tuam, and received an appointment in the neighbourhood of Galway. The tribes or lay patrons of Galway were at this time dissatisfied with their warden, the Rev. Mark Kirwan of Dalgan, elected in 1749, and in consequence, when the triennial term arrived, they elected the Rev. Anthony Blake in his place, which is said to be the only instance in which a person once appointed Catholic Warden was not afterwards triennially re-elected for life. Warden Blake's administration was short, but not inactive; it is to his care and zealous exertions that Galway owes the erection of the parish chapel in Middle-street, which he commenced about the year 1752, the first year of his incumbency, and which continued the only parochial chapel in the town, till it was taken down in 1833, and another built on the same site by Dr. Browne, the first bishop of Galway. In the year 1755, Warden Blake was promoted to the bishopric of Ardagh, being succeeded in Galway by the Rev Francis Kirwan; and in the end of 1758, he was translated to the primatial see of all Ireland.

On the 19th of May, 1761, he held a diocesan chapter at Dundalk, in which some important laws were enacted for the reform of abuses,

especially the repression of intemperance, and of irregularity in the hours and places of public worship, and against the unjustifiable interference of the laity with the rights of the bishop in collating parishes, and in other acts of episcopal jurisdiction. In June 1764, another diocesan chapter or synod sanctioned a new mode of supplying a competent support for the bishop, and urged under heavy penalties the erection of suitable chapels, or as they styled them "Mass houses" in every parish by the parish priest. These meetings prove that at least during the first six years of his government, Dr. Blake was regarded as favorably by his clergy, as any prelate could well be, who introduced reforms, many of which, besides being departures from old custom, were in themselves onerous. The acts of these synods are published here as partial evidence of the state of the Catholic church in Ireland, immediately before the turning part in her modern history

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STATUTA FACTA AB ILLMO ET REVMO DOMINO

D. ANTONIO BLAKE,

Archiepiscopo Armacano et totius Hiberniæ Primati in capitulo Diocesano habito Dundalkiæ Die. 19 Maii Anno 1761.

*To the most Rev. Father in God, His Grace Dr. Anthony Blake, Lord Archbishop of Armagh, Primate and Metropolitan of all Ireland.*

MY LORD,

We, the canons of your Cathedral Church of St. Patrick, in Armagh, in chapter assembled, do take this opportunity of returning our most sincere and hearty thanks to your grace, for your great care and vigilance over us, and the rest of the clergy and laity of this diocese since your accession to it, and also for the pains you have taken to establish peace among all ranks of people in which your grace has, thank God, most happily succeeded: for the long continuance of which, we promise every assistance we can, as well as for your undertaking that the following particular rules be strictly observed for the future in this diocese.

1. That none is to begin Mass, on any occasion after, one o'clock, p. m.

2. That the parochial Mass be not removed, especially on sundays from the usual station,\* upon any pretence or pretext whatsoever.

\* The word still used for the houses in which confessions are heard and communion administered at Christmas and Easter, in most of the Irish diocesses, beyond a certain distance from the chapel.

3. That no collections be made at funerals in any street, or any road; or Mass there said for any such meetings, except such places be the usual stations for having prayers.

4. That no one wearing any altar ornaments is to go in that dress among the congregation to beg either for himself, or any other person or community.

5. That none requiring alms at any chapel or other station, shall call to any person for any certain sum.

6. Never to give a contested benefice, (or any other by way of punishment for three years afterwards) to any priest, on whose seeking, or in whose favor, any opposition (but for canonical exceptions) is given to any clergyman you did or would collate to said parish, or named to take care of it in commendam, if such priest will not openly declare to the congregation that he will not serve, unless commanded by his superior, in that, or any other parish where such disturbance is caused.

7. To dispossess any priest of his parish, and of any other charge (after Canonical admonition) who is a drunkard, or who will stay to drink whiskey, or any other spirituous distilled strong liquors, at any one place, time or meeting, exceeding the measure of what is commonly called a noggin, or double that quantity in punch.

8. That no whiskey or any such strong liquors be given to the commonalty at wakes or funerals, or carried for that intent, or purport, to the place of interment.

As these eight rules or regulations are, we think, my Lord, both salutary and requisite for this country, we request your Grace's approbation and sanction of them. In addition, we pray you will please to order all your parish priests to take a copy of the statutes of the province, which your Grace has shown us, and we will pray for your Grace's long life and health to rule and govern us, who are most sincerely your Grace's most humble, most obedient servants,

Nicholas Devine, Archdeacon.

James Madden, Cancellarius.

Lawrence Taffe, Chanter.

Phillip Levin, Treasurer.

Nicholas Markey, Canon.

Thomas Carroll, Canon.

Terence Ignatius Quin, Canon.

We approve of, and establish for the diocese, the above mentioned rules or regulations, proposed to us by our chapter,

*Dundalk, 19th May, 1761.*

ANTHONY ARMAGH.

Acta, conventa et ordinata in synodo dioecesana Armacana sub Illmo, et Rmo Domino, D. Antonio Blake, Archiepiscopo Armacano, et totius Hiberniæ primate.

*Anno. 1764.*

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*To the Rev. Canons and Pastors of the diocese of Armagh, at their respective meetings, in the year of our Lord, 1764.*

VERY REV. SIRS,

The underneath case of conscience and query, is most respectfully proposed to your opinion and decision thereon.

The Catholics and clergy of Ireland, had without doubt, formerly enacted, or ordered a decent livelihood for their prelates and parish priests, in lieu of their lost benefices; in consequence of which, the ordinary received, inter alia, the horse, bridle and saddle of any deceased parish priest, as appears by the continued practice of this day, of other bishoprics in this kingdom; nay, in some of this province of Ulster. Which custom and rule, it is to be presumed, was the same in this diocese of Armagh, as the said dues had been some time paid to the ordinaries, and when not, they are, and were always, called for, to the heirs.

Query: Should not the ordinary, and his clergy, now change the above manner and time of his receiving said dues, viz: the horse, bridle and saddle, &c., by ordering every priest, when first collated to a parish, to pay, or secure the value of said dues, to his bishop, (as it is done lately in other dioceses,) grounding this new proposed regulation, on the known fact, that the parish priests, now-a-days, do for the most part, neglect making, mortis suæ tempore, the said provision for the indigent superior, and to hinder also, the priests' heirs from sinning, by unjustly detaining the said dues:—

We, the subscribing pastors of the diocese of Armagh, are of opinion, that the purport and meaning of the above case of conscience, is both convenient and just. Wherefore, we do by these presents, enact, that the change proposed in the query, be made and followed for the future, as an established rule in this diocese; and we humbly pray our present most illustrious prelate to order it so.

Given at our meeting at Dundalk, this second day of May, 1764.

Philip Levins, Treasurer of the chapter of Armagh, P.P. of Ardee.

Lawrence Taffe, Chanter, &c. &c., P.P. Hagerstown.

Terence Quin, Canon, &c., P.P., Creggan.

John Colman, Pastor of Louth.

Edward Boyle, Pastor Dromins kin.

Francis M'Ardell, Pastor in Killenins.

Hugh Mooney, Pastor of Upper Faughard.

Michael Healy, P.P. of Killewins.

Peter Carroll, Deservitor of Dundalk.

Patrick M'Kenna, Pastor of Carlingford.

Constitutiones factæ sub eodem Illmo et Rmo Domino D. Antonio Blake Archiepiscopo Armacano et totius Hiberniæ Primate in capitulo Dioecesano Armacano habito Dundalkiæ, mense Junii Anno 1764.

*To the most Revd. Father in God, His Grace Dr. Anthony Blake, Lord Archbishop of Armagh, Primate, and Metropolitan of all Ireland.*

MY LORD,

We, the canons of your cathedral church, of St. Patrick, in Armagh, in chapter assembled at Dundalk, this fifth day of June, 1764, do return, ante omnia, our unanimous and hearty thanks to God, for your Grace's recovering from your late heavy sickness; occasioned as we are sensible of, by your Grace's daily fatigue, visiting our clergy last season in their different parishes, and therein confirming, for which good offices, as well as these of the present year, your Grace shall always have our good wishes, and also our prayers, and those of our other clergy and laity, for your future preservation, and continuation of long life, and health to rule and govern us.

We also return many thanks to your Grace, for having established the rules we proposed to your Grace for your diocese, at Dundalk, the 19th of May, A.D. 1761, which rules or regulations have already reformed some abuses in most parts of the diocese, and will meet, we doubt not, with more success in the course of some time. As much as we rejoice my Lord, at the success your Grace met with in building some Mass-houses, where none had been before, we equally feel and partake of your Grace's concern, at the negligence as yet, of some parish priests in promoting properly the erecting of Chapels in their parishes, which is attended with many bad consequences to our congregation; wherefore, we most humbly request, that your Grace may be pleased, not to remove or translate for the future, any parish priest whom you will find negligent in that duty, to any better benefice, before he leaves some such good monument behind him of his said performance.

We beg your Grace not to collate for the future, (and that by way of punishment for three years,) any parish priest to any benefice, who will once refuse any offered him; or refuse being coadjutor to any parish priest, in any part of the diocese, for whom your grace, for peace sake, will appoint, a Quantum meruit (if not agreed to before, betwixt the parties themselves,) or thirds at most of the parish or parishes, with either of which, the coadjutor so named must be satisfied; except when the parish priest is not able to officiate, or help properly his said coadjutor, that then your Grace may think it requisite to order half the emoluments, or more, for one or more coadjutors.

We see with concern, my Lord, that two of the three ordained last

year, have remained at home from their studies,\* to the great loss of not having in proper time a sufficient supply for the Diocese, and contrary also to your Grace's positive directions to them.

We therefore recommend to your Grace, (in order to hinder yet, like inconveniences for the future,) to direct, an order to be given to every young Priest, along with his letters of ordination, and Exeat, a suspension from saying Mass in Ireland to be incurred, ipso facto, after so many days, weeks, or months, as your Grace will judge it convenient to appoint for their leaving the kingdom; and we further request of your Grace, to discourage any priest or Community boy,† that will return to this diocese, except in case of sickness, and that properly attested, before he finishes his regular course, and has proper attestations of his good behaviour, from the superiors: and that if any should so return, to oblige him to go back again, without any benefice or other promotion.

\* To supply the wants of the Irish mission, in the days of persecution, it was found necessary to ordain priests at home, before they had even commenced their ecclesiastical studies, except what was necessary for the due celebration of Mass. They then went to the Irish colleges on the continent, and by chaplaincies, or foundations for Masses which they had discharged, were enabled to defray the expenses of their education. See Edmund Burke's letter, to a Peer of Ireland, on the penal laws against Irish Catholics, February, 21, 1782. He had been in France in 1775, and visited there the principal Irish College, that of the Lombard at Paris. "It seemed to me a very good place of education, under excellent orders and regulations, and under the government of a very prudent and learned man, the late Dr. Kelly. This college was possessed of an annual fixed revenue of more than £1000 a year; the greatest part of which had arisen from the legacies and benefactions of persons, educated in that college, and who had obtained promotions in France, from the emolument of which promotions, they made this grateful return: one in particular, I remember to the amount of 10,000 livres annually, as it is recorded on the donor's monument in the chapel." In the year 1840, the writer of this note, paying a visit to that chapel, then used as a storehouse, was informed by an old man, who recognized him as an Irishman, that it was one of the last, if not the very last place, where Mass continued to be said, after the abolition of Catholic worship, by the infidels in 1793.

† Few priests, if any, now living in Ireland, would understand the meaning of this term. The writer heard it from Dr. Murphy, late bishop of Cork, who was himself a "Community Boy," that is, educated in the present Irish college, at Paris, formerly called "*communauté des clercs Irlandais*," and founded for young students, who could pay for their education: a distinction which his Lordship inculcated with good-natured indignation, when the writer, then in Paris, happened to ask him whether he had not been educated in the Lombards. "Sir, you must know I *paid* for my education." It may be added here, that, during that visit of Dr. Murphy to Paris, Dr. M'Swiney, then president of the Irish College, invited a large party to meet him at dinner, including five or six French prelates, among whom was the martyr Affre, Archbishop of Paris, and several distinguished Irishmen, among others, Frederick W. Conway, of the Evening Post. It was a delightful evening, the conversation running prin-

We have read, my Lord, and maturely considered the case of conscience proposed in our diocesan synod, (such as can with any safety, my Lord, be held with us) to our Rev. parish priests; to say at Dundalk, 7th and 8th of May, 1764; at Bush 7th and 8th of May, and same year, where all *nem. con.* were unanimous in their opinions and vote, and subscribed thereunto, already to the number of thirty.

We likewise my Lord, are unanimous in our opinions, and do by these presents enact, that the regulation or change proposed in the query of said case of conscience be made, and for the future observed as an act and statute of this diocese, and do pray your grace's assent to the same, after it is proposed to the remaining pastors who commonly meet at Long-stones, to the number of six, who have not been consulted as yet; but shall at their next meeting. We can only add, my Lord, to our said Rev. pastors' opinions, and their prudent decision of the said case of conscience—Ordinary *pro-tempore* being paid hereafter five guineas by any new collated priests, should be for the future deemed sufficient, (though its very moderate) in lieu of the former dues mentioned in the case of conscience.

By this, our present act, we do not intend, my Lord, to acquit any of our present parish priests consciences from the former obligations of ordering, *mortis suæ tempore*, and securing the old dues, viz: horse, bridle and saddle, &c., &c., for their then existing ordinary, or five guineas in consideration thereof; if punctually paid by the heir. Finally, we pray your Grace to confirm our said acts, and we beg your Grace's blessing. In witness whereof, we hereunto subscribe at the place and day, month and year above-mentioned.

Laurence Taffe, Chanter.

Terence O'Quin, Canon.

Aen. M'Donnell, Chancellor.

Michael Martin, do.

Philip Levins, Treasurer,

Patrick Clinton, do.

On the 25th day of June, 1764, was handed to us by the Rev. Patrick Clinton, Canon of Armagh, deputed by the chapter for that purpose, the above, its act concerning the bishop's dues, &c., and likewise the decision of the same case of conscience proposed to the Rev. pastors of our diocese, at their respective meetings, all which we have perused maturely, considered, and advised upon. Wherefore, we ordain and enact by these presents, that the same

cipally on the topics on which Dr. Murphy and Mr. Conway were most at home; literature and libraries. The latter, several times, bitterly regretted that he was not master of the French language, but consoled himself with one of his usual strong asseverations, pointing to Dr. Murphy, "there is the Bishop, the man they falsely say, knows only the backs of his books,—enlightening the Frenchmen," an opinion expressed several times the same evening in the writer's hearing, by the French prelates themselves, and manifestly not as a French compliment.



act and other rules of our said chapter and of our other clergy (with whom we agree in opinion,) be by all and every, whom the said act and rules, may now and hereafter anyways concern, observed and followed for the future as statutes, of this our diocese of Armagh. Given at Drogheda, this first day of July, and year above-mentioned.

ANTHONY ARMAGH.

It is said on the authority of Dr. Derry, bishop of Dromore, that Dr. Blake "never could be prevailed on to reside permanently in his Diocese. As soon as his visitations were finished he returned to the county of Galway, and lived there with some of his relations. His appearance was very respectable, and in travelling to Ulster, and during his residence there, he always used an elegant carriage. The clergy, particularly those of the county of Louth, at length opposed him and accused him of non-residence, and of too great severity in his exactions. In the Rev. Philip Levins, P.P. of Ardee, and Rev. Peter Marky, P.P. of Louth, he had two able opponents, who carried on and directed against him a prosecution at Rome with great ability. A suspension from his functions was the consequence."\* He was not, however, suspended a beneficio, for Dr. Troy, in a letter from Kilkenny, November 4th, 1778, to Dr. Anthony Nowlan, præcentor of Armagh, directs him to restore, the *proxies* he had received during the administration of the diocese to Dr. Blake, deducting a part as recompense for his trouble.† Dr. Blake was restored to "primate jurisdiction" in 1777, by the delegate of the apostolic see, Dr. Troy, bishop of Ossory, who "held a meeting for this subject in the

\* Stewart's Armagh, p. 407.

REV. DEAR SIR,

I have long since been honoured with a commission from the S. Congregation respecting Dr. Blake and you. I thought to communicate the particulars to you, when I was last in Drogheda, but your departure from that neighbourhood some time before, deprived me of that pleasure. I now, therefore, take this opportunity of informing you, that whereas Dr. Blake was never suspended a beneficio, he has been declared by the S. Congregation entitled to the *proxies* you received from the clergy of Armagh during your administration of that diocese, after deducting a part thereof as a recompense for your trouble, I have assured the S. Congregation of your respect and readiness to acquiesce in the determination of their Eminences. I hope your speedy answer will confirm my report, and am very sincerely,

Rev. dear sir,

Your most affectionate humble servant,  
J. TROY.

Kilkenny, 4th November, 1778.

Dr. Anthony Nowlan, formerly Præcr. of Armagh.

REV. DEAR SIR,

I was duly favoured with your kind letter of the 16th inst. and shall send an exact translation of it, in my next to Card. Castelli from whom I expect a letter

chapel of Drogheda, which lasted for several days, and was attended by many of the clergy of the diocese.”† In a letter written to Castelli and the Nuncio, December 27th, 1777, by Dr. Troy, “he assured them that the absence of the prelate from his diocese was occasioned by necessity, and that he would henceforward study to preserve peace.” This hope was, however, not realised, for on the 9th of March, 1778, Dr. Blake “endeavoured to remove the Rev. George Dowd from Drogheda, and suspended him : in which preceding writes Dr. Troy, (Kilkenny, March 9th, 1778,) “you have acted in opposition to my decree restoring you to the exercise of your primatial jurisdiction, unless you have been authorised to make innovations at Drogheda, by a subsequent power from the Holy See. I beg leave to remind you of the following words in our decree, &c., which were substantially, that no change should be made in the position of Rev. John Markey in the parish of St. Nicholas, Dundalk, or of Rev. George Dowd, in St. Peter’s, Drogheda, until further orders from the Holy See. He adds :

“As your suspension of Mr. Dowd cannot be warranted, and his appeal is well grounded, you should contrive some method of absolving him from censures, and thereby prevent the scandal, which otherwise will ensue. I need not mention the necessity of taking off the suspension; I have been applied to for that purpose in consequence of my delegated powers from the Holy See, but think that act of grace will come better from yourself.” On the 21st of March, 1778, Dr. Troy complains that no answer had been given to this letter, and insists on receiving one in twelve days, under pain of having neglect in answering him construed into contempt of that power which had restored and could take away the primatial jurisdiction. To the primate’s answer, March 26th, Dr. Troy replied March 29th, that he had always condemned according to Cardinal Castelli’s prior regulations, Mr. Dowd’s attempt to retain the parish of Drogheda, and wished merely to leave matters as he found them : namely, the primate as parish priest, and Mr. Dowd as his vicar, but bound to pay him 100 guineas per annum : that he had been

before Christmas. I think you would do well to write to his Eminence, to whom I have referred everything relative to the diocese of Armagh, as I am determined not to interfere further without a positive command of his Holiness. I beg my compliments to all friends, and am very truly,

Rev. dear sir,

Your most affectionate humble servant,  
JOHN TROY.

Dr. Anthony Nowlan, formerly Praecr. of Armagh.

*Kilkenny, November 24th, 1778.*

\* Dr. Troy landed at Dublin, July 21st, 1777, returned to Dublin, October, 15th, and was not in Kilkenny until the middle of January, 1778. The meeting referred to was held some time between October 15th, and November 14th, on which day Dr. Blake returned to his diocese.

particularly instructed and authorised to inquire into and settle matters, regarding Mr. Dowd and others, and that his decree was grounded on the knowledge of facts, either legally proved, or that came under his own observation ; that it was examined and ratified by the S. Congregation which had given him authority to enforce the prosecution of it in every particular." I am sincerely inclined, he concludes, to render you every service in my power, and shall not cease to promote peace in your diocese. Moderation is a necessary virtue in a prelate who must accommodate himself occasionally to the circumstances of persons and times : you have given proofs of it, that you may continue to do so, and enjoy every blessing is my sincere wish." The advice and recommendations given in this letter failed in producing the desired effect, and a full report of all particulars was sent by Dr. Troy before the end of the next month to Rome for further instructions. In letters to Dr. Butler of Cashel, and Dr. Carpenter of Dublin, January 20th, 1779, he mentions other causes of complaint from Armagh, which, however, he hoped to be able to arrange amicably without leaving Kilkenny. But a stormy meeting of the chapter of Armagh in the following April, to protest against the apprehended appointment of an obnoxious coadjutor, increased the anarchy and confusion, which it was feared would become incurable, if an active coadjutor were not speedily appointed. Dr. Troy wrote to Cardinal Antonelli, urging the necessity of that measure, and a few months later, went to Drogheda to execute a disagreeable commission respecting those late differences between Dr. Blake and his clergy ; remained a fortnight in that neighbourhood, settling some and compromising other affairs, but at the earnest request of Dr. Blake, postponed the final conclusion of his commission until the following February, (1781,) before which time it was hoped measures would be adopted to remove the necessity of Dr. Troy's return to Drogheda. The generality of the clergy he believed would never be heartily reconciled to Dr. Blake's administration, and it would be desirable for his own sake and the public good that he should resign absolutely. In the mean time the Ulster prelates had met on the subject of Cardinal Antonelli's letters, regarding mixed marriages. Their other deliberations had been kept secret from Dr. Troy but it was rumoured that they could not agree about a fit coadjutor for Dr. Blake.\* The commission was again prorogued to the 24th of April,† and in the mean time it was rumoured that Dr. Plunkett of Meath whom Dr. Troy had recommended had been appointed coadjutor, and had refused ; but Cardinal Antonelli in his letter to Dr.

\* Letters to Dr. Fallon, Bishop of Elphin, Kilkenny, May 17th, July 27th, 1780.

† Troy's letters to Dr. Sweetman of Ferns, November 20th, 1780, and to Dr. Fallon of Elphin, December 7th, 1780.

‡ To Dr. Sweetman of Ferns, February, 15th.

Troy of the 10th February, was silent about such refusal, and had said "that the affairs of Armagh would be seriously considered in the next general congregation."\* Notwithstanding his own remonstrances and the objections of the Ulster prelates, who wished to have his commission recalled or delayed to a long day. Dr. Troy was obliged to return to Drogheda on his disagreeable errand.† During the whole course of this affair "his superiors," he declares, applauded his conduct in the highest strain of panegyric, and encouraged, nay, entreated him to proceed with efficacy and dispatch (*ibid.*) The following year he was relieved from his commission by the appointment of Dr. Richard O'Reilly, coadjutor of Kildare and Leighlin, to the coadjutorship of Armagh. He accompanied that prelate to Armagh: the northern districts of the diocese were at first dissatisfied and objected to his induction, but were soon reconciled to him "through my means and his own moderation."‡ It may be added that the bishops of Munster assembled at Cork, July 16th, 1782, had resolved to send a joint letter to the pope, complaining of the late proceedings in Armagh, namely, the suspension of the primate without trial, they said, and against the wish of the prelates of Ulster, who August, 8th and 9th, 1781, had written to Rome, their opinion that the removal of Mr. Dowd from Drogheda was the only means to restore the long wished for peace.§ A pension of 140 guineas was assigned to Dr. Blake out of the revenues of the diocese, part of which, if necessary, the S. Congregation promised to supply. He retired after some time to Galway, where he died in the year, 1786.

The life of Dr. Rich. O'Reilly, 1782—1818, and the general state of the Irish Church under his predecessor can be given more satisfactorily after the life of Dr. Troy, for whose biography there are abundant materials, relating to the general history of the Catholic Church in Ireland, during a period of nearly fifty years.

To this first series of the primates are subjoined some Ulster provincial and diocesan statutes copied by Dr. Renehan from a MS. formerly the property of primate Blake.

\* Troy's letter to Dr. Carpenter, February 13th, 1781.

† Troy's letter to Dr. Carpenter, March 20th, and to Dr. Fallon, April 9th, 1781.

‡ Troy's letter to Dr. Fallon, May 5th, and September 23rd, 1782.

§ Resolutions entered into by the bishops of Munster, assembled at Cork the 16th of July, 1782.

1. Resolved: that a joint letter be written to the pope intimating the alarms every bishop in Ireland must feel at the late proceedings in Armagh, viz: the suspension of the primate, without either previous trial or the allegation of any canonical fault. The inattention shewn to the joint letter of the bishops of the province on the occasion, and the approbation given of the conduct of the clergy who opposed the primate in raising the chief of them Mr. Levins on the dignity of vicar general, and in continuing the Rev. Mr. Dowd in the vicar-

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ship of the parish of Drogheda, who was an open and armed antagonist of the primate, though the bishops of the province had signified in a joint letter to the sacred Congregation, that the removal of sayd Mr. Dowd was the only means to restore the long wished for peace, &c.

Resolved: that a letter be written to complain of the Sac. Cong.'s inattention to our letter about the marriage of Catholic and Protestant."

This document which follows the example of Mr. Dowd and Mr. Levins, whom it condemns, rests on statements refuted in the preceding pages, and in the letter of Cardinal Antonelli of which an extract is given below. A few years later, the Pope and the Irish church had to deplore the fall of the bishop, Lord Dunboyne, in whose diocess the resolutions were passed, the only Irish bishop that apostatised since the reign of Elizabeth.

*Extract from a letter of Cardinal Antonelli to primate Richard O'Reilly.*

"Cio premesso, si portera ella al piu presto alla nuova sua chiesa, dove tosto che V. S. avra preso possesso dell' appoggiatele incarico, dovra affatto cessare l'amministrazione, di cui e caricato Mons. Gio. Tommaso Troy vescovo di Ossory, al quale coerentemente si scrive coll' annessa, che si manda a V. S. a sigillo aperto, perche ne veda il contenuto, e quindi chiusa la faccia pervenire al Prelato. Lo stesso dovra ella fare dell'altra, che qui le compiego per il capitolo Armacano, e che lei medesima potra ricapitraregli nel suo arrivo in Armach. Da ambedue questi, V. S. potra rilevare, qual sia stato il giudizio che questa S. Congregazione coll' autorita di Ntro Signore ha fatto dell'assemblea tenuta in Drogheda li 8 e 9. Agosto dello scorso anno dai vescovi suffraganei della Provincia Armachana, come pure delle risoluzioni emanate in essa.

Quanto alla pensione assegnata a Mons. Blake nell'annua somma di 140 ghinee si mai per un simile pagamento non rimanesse a V. S. delle rendite della metropolia tante che le fosse bastante per sostenersi con quella decenza che conviene al suo grado, questa S. Congregazione non ricusera di prestarsi al bisogno, con darle nel caso qualche conveniente soccorso.

Guadisi ella pertanto da ogni renitenza nell'accettare questa nuova dignita, ne adduca scuse per ricusarla, poiche quanto e riprensibile chi ambisce, e per mezzi umani procura di ascendere all'episcopato, altrettanto lo e pure, chi chiamato lo ricusa. Essendo ella stata prescelta dal Sommo Pontifice senza alcuna di lei saputa, dee venerare e rispettare la vocazione divina, e sperar quindi una piena assistenza del Divino Spirito, da cui il capo della chiesa e specialmente ispirato nell'elezione dei Pastore. Ella in ogni difficulta confide nel Sign, il quale sa ridurre "prava in directa, et asperas in vias planas," e munita di questa fiducia, non dubito, che V. S. non sara per riuscire felicemente nell'appoggiatele incarico, e corrispondere alla buone aspettazione di lei, onde senza piu prego il Sign. Dio che a beneficio della novella sua chiesa, la prosperi e conservi.

Roma, 30th, Marzo, 1782.

Come Fratello,

L. Card. Antonelli Pref.

As Mr. Dowd had been appointed by the S. Congregation vicar of Drogheda, "soltanto per supplire al difeto di Monsig. Blake," and as that parish was ordinarily administered by the archbishop, Dr. O'Reilly was authorised to remove Mr. Dowd to another parish, whenever it was deemed expedient. *ibid.*

## OBSERVATION.

The following transcript of the "Consultatio Ecclesiastica" with its appendix and additions, and also of the Statutes of Clonmacnois, was taken by me from a copy written by Hugh Coghlan, and finished September 4th, 1649. For though the last figure is altered by a later hand in one place, into 1647, it is quite plain in another, and also it is placed at the end of the Statutes made in May, 1649. The character of the handwriting, the paper, ink, and numerous contractions—all bear the stamp of that age. Only one leaf is wanted at the end of the new additions—and the whole is in general easily legible. This copy appears to have been brought to Armagh, by the Rev. Dr. Anthony Blake, and to have passed into the hands of the late Very Rev. Dr. M'Cann, Vicar General of that Diocess, from whose nephew I borrowed it.

Maynooth, March 20th, 1840.

L. F. RENEHAN, V. P.

## CONSULTATIO ECCLESIASTICA

ET VELUTI,

## SYNODALIS DETERMINATIO

QUARUMDEM ORDINATIONUM, REGULARUM, & DOCUMENTORUM,  
DESERVIENTIUM ECCLESIAE, & POTISSIMUM

PROVINCIAE ARDMACHANÆ, FACTA, &c., &c.

"I do certifie to have received these constitutions in the yeare 1719, from the Very Rev. Mr. James Donnelly, Vicar General of Clunmacnoiss, my predecessor then about 80 years of age, and a priest of the diocess of Clunmacnoiss about 36 years. I also certifie that in the said yeare 1719, on a certain case of divorce on account of a clandestine marriage, that all the clergy of the diocess, and many of the old and discreet lay inhabitants and *myself* as assessor were convened at the house of one Dr. Hugh Shiel, and that all of those clergy and laity, and particularly a Rev. old priest, Bryan Kinny, about 80 years of age, as well as the said Rev. James Donnelly, declared that the Council of Trent was received in said diocess all along their lives, and that their predecessors handed down and assured them it was received and practised as such in their times, &c. Witness my hand this 10th of September, 1754, John Daly, Dean and Vicar General of Clunmacnoiss, Prothonotary Apostolic, &c.

## CONSULTATIO ECCLESIASTICA

ET VELUTI,

## SYNODALIS DETERMINATIO

QUARUNDAM ORDINATIONUM, REGULARUM, & DOCUMENTORUM,  
DESERVIENTIUM ECCLESIAE, & POTISSIMUM

PROVINCIAE ARDMACHANÆ, FACTA, &c., &c.

Intervenientibus et assistantibus, R.R., D.D., Vicariis partim generalibus, partim etiam foraneis, ac Decanis Ruralibus; adhibitis etiam in consilium selectis quibusdam tum Theologis ac juris pontificii consultis, tum etiam diversorum ordinum, Cisterciensium, Observantiae S. Francisci, ac Societatis Jesu patribus. Inchoata in congregatione, quasi Provinciali, habita Vadeponi per dies plures, et ibidem terminata decimo nono Mensis Februarii, anni labentis 1614.

## AD LECTOREM.

Veteri verbo verissimè dicitur “ingens telum necessitas,” quæ nobis tanta nunc imponitur per temporis iniquitatem ut nullum omnino remedium negligi patiatur. Absente siquidem Primate totius Regni Archiepo. Ardmac<sup>o</sup> quem hactenus ‘in Romana Curia detinuerunt publica negotia; nostræ solitudinis esse videbatur, præsertim cum vacarent omnes suffraganeæ sedes illius Provinciæ, quærere viam idoneam, et capessere quam maxime possemus consentaneam sacris canonibus et juri ac rationi naturali accommodatam, ad gubernationem cleri et populi Catholici in ordine ad æternam salutem. Hoc eo magis debet esse nobis curæ, quod ipse Illustrissimus Primas plenitudinem suæ jurisdictionis nobis commiserit; qua freti admonuimus omnes Vic. Generales cum quibusdam Foraneis, et aliis eminentioribus de Clero hujus Provinciæ personis, ut omnes ad consultandum de statu Ecclesiastico concorditer ac discrete tractarent, adunati de iis rebus quæ impræsentiarum usui venirent. Non enim immemores esse potuimus antiqui moris et consuetudinis tum Cleri Rom. mortuo vel relegato Summo Pontifice, tum etiam inferiorum Ecclesiarum in secessu vel morte suorum Antistitum, illos quidem Ecclesiæ universali supremo quodam regiminis et directionis imperio præsedisse, istos vero primæ et matricis Ecclesiæ magisterio imbutos, ne sede vacante, omnia pessum irent, providisse. Quorum nos imitatione ducti, et tradita nobis hac in parte potestate muniti, uniformiter cum Vicariis et aliis qui convenerant quasi Provinciali cœtu congregati, ordinavimus quasdam regulas et constitutiones, quibus Clerus Catholicus et populus ei commissus juvari possit et dirigi, salvo meliori judicio et authoritate sedis apostolicæ, cujus censuræ nos libenter subijcimus.

## BREVICULUM CONSULTATIONIS PROVINCIALIS.

*Terminatur hæc Consultatio 4 Capital. Distinctionibus, cum Appendice.*

Prima Distinctio capitalis versatur circa Ordinem Hierarchicum et jurisdictionalem servandum in hac Provincia, absente Primate et deficientibus Episcopis suffraganeis, ad confusionem vitandam.

Secunda Dist. Capit. versatur circa Sacrorum curam, ac sacramentorum debitam ac uniformem administrationem, ut rite ac legitimè omnia gerantur.

Quarta Distinctio versatur circa jejuniorum, abstinentiarum, et festorum ordinationem et observationem, cui subnectitur constitutio antiqua de Decimis et suppellectili Ecclesiæ.

Tertia Dist. versatur circa morum reformationem et abusuum quorundam, sive novorum, sive inveteratorum, abolitionem.

Appendix Consultationis de Tridentina Reformatione Matrimonii, itemque de Calendario Gregoriano.



## PRIMA DISTINCTIO

## CONTINET QUINQUE DOCUMENTA,

*Documentum primum concernit dispositionem Ecclesiæ, dispositionem et Hierarchiæ.*

Quoniam adeo dura difficilisque est præsentium temporum confusio, ut nec statim omnibus, nec commune ubique remedium quod optimum esset, adhiberi possit; ut quod fieri possibile est Ecclesiæ disciplinæ ordo, confusione profligata, reparetur, et imago saltem et simulachrum quoddam legitimæ hierarchiæ possit adumbrari, postquam pro singulis diœcesibus hujus Provinciæ jam designati sint Vicarii Generales, seu Officiales, quibus pro jure ac munere suo, in defectu et absentia priorum Episcoporum, incumbit regiminis cura, et jurisdictionis administratio intra proprios limites suorum districtuum, communi consilio expedire, ut per eosdem Vicarios Generales adhibeatur delectus idonearum personarum cum sufficientia literaturæ, probitatis, et prudentiæ, quibus cum subordinatione ad Vicarios Generales imponatur cura in Decanatibus ruralibus ejusdem diœcesis.

Foranei in quolibet Decanatu deputari possunt Parochi qui sacramenta administrent juxta exigentiam populorum ibi commorantium: hi vero Parochi non tam a Foraneis et ruralibus Decanis, quam ab ipsis Vicariis Generalibus ad majorem securitatem et cautelam deligendi sunt et erunt.

Omnes autem Vicarii tam Generales quam Foranei et Parochi advocabunt frequenter et invitabunt regulares et alias personas zelo et doctrina conspicuas, ad concionandum et catechizandum, resolvendum, opitulandum in muniis Ecclesiæ melius obeundis juxta temporum opportunitatem, et locorum indigentiam, iisdemque co-operariis juxta facultates hilariter et amicè subvenient in necessariis.

## DOCUMENTUM SECUNDUM.

*Concernit directionem personarum Ecclesiasticarum, ne se ingerant politicæ administrationis negotiis, aut curis mere sæcularibus, quæ ad eos non pertinent.*

Caveant 1º omnes Sacerdotes ne publicè vel privatim de negotiis status et reipublicæ temporalis tractent, neve ullo alio modo regiæ majestati, aut aliis qui sub ipsa reipublicæ in temporalibus præsumt se aliter exosos reddant quam quæ sunt officii erga Deum et populum præstando, viz: spiritualia, tantummodo ministeria

exhibendo, relinquentes Cæsari quæ Cæsaris sunt, et Deo quæ Dei sunt.

Caveant 2<sup>o</sup> ne se immisceant temporali gubernationi aut regimini domus seu familiæ cujuscumque sæcularis, seu privati hominis, nec pro eo quamvis nobili exerçant officium œconomi, Præceptoris, Computistæ, Procuratoris, aut negotiorum gestoris.

Prædiis, pascuis, vel terris ad firmam tenendis, locandis, conducendis, commutandis. emphiteutecandis, vel pecuniæ ad interesse exponendis, nec in ministerio sacræ vocationis suæ vacare præsumant.

Caveant 3<sup>o</sup> ne sint negotiatores, proxenetæ in nummis, in tractatibus vel contractionibus omnino sæcularibus, neque instar assecclæ aut aulici mancipiis joculariis aut histrionicis inserviant cujuscumque conditionis aut eminentiæ: hæcque omnia interdicta sibi esse sciant, et contravenientes si moniti non desisterent juxta contemptus gravitatem ab Ordinario puniri posse et debere.

### DOCUMENTUM TERTIUM,

*Partim Morale, partim Doctrinale De Juramento regię potestatis et jurisdictionis temporalis.*

Tametsi veneranter approbemus, et omnino retinendam existimemus sanctionem illam Concilii Toletani, quæ statuit, ut qui contra salutem Principis et patriæ aliquid machinatur, ab Episcopo usque ad extremum Ordinis Clericorum, aut monachorum, mox omni dignitate et honore privetur juxta laudabilem juris et praxis Ecclesiæ Catholicæ consuetudinem, quæ semper detestata est prodiones et impias rebusellum machinationes: non possumus tamen sine evidentissima gravissimaque divini honoris injuria obligare nos juramento quod vocant de Primatu regis Ecclesiastico, sive illud apponatur secundum illam impiorum formulam sub nomine et auctoritate Jacobi Regis nostri conceptam quæ vulgo nuncupatur "Oath of Allegiance" sive secundum anteriorem formam Henritianam quæ sub Principibus Edwardo et Elizabetta successive regnantibus a Parlamento emanavit, diciturque "Oath of Supremacy" quod salva fide Catholica et salute animarum præstari non potest; cum utrumque multa contineat quæ saluti et fidei adversantur.

Itaque nec voce, scripto, aut chirographo, licet horum alterutrum admittere. Sed nefas est, nec decet, futili tergiversatione fluctuantis animæ dissimulare fidem, et conscientiam circa ipsam rem et substantiam utriusque juramenti, quasi in incerto sint Catholici, sitve licitum necne sic jurare, cum certi omnes esse debeant esse illicitum, nec recipi oportere a Catholicis quandocunque idem ipsis jurandum clam vel palam proponitur ab his qui dominandi potestatem acceperunt; quinimo clare et sine ambagibus respuere idem necesse esse, quoties per simulationem, retractionem, vel conniven-

tiam subtraheretur honor Deo debitus, vel utilitas proximo impendenda, vel scandali probabile periculum *imminet*.

#### DOCUMENTUM 4<sup>m</sup>. EJUSDEM REI,

*Continens declarationem veritatis, et directionem officii subditorum circa communicationem in ritibus, adeundo templa vel audiendo Conciones Hæreticorum.*

Quia “corde creditur ad justitiam, ore autem confessio fit ad salutem” (*Rom.*, x. 10) idcirco declarationem sedis Apostolicæ amplectimur et solemniter recipimus, per quam innotescit nobis non licere sine detrimento divini cultus ac nostræ salutis ad Hæreticorum templa accedere, aut eorum conciones audire, vel cum ipsis in ritibus communicare, ne Dei iram incurramus; quam communicationem in divinis non est putandum purgari aliqua prævia vel concomitante protestatione, quasi id fiat solummodo ad civilem obedientiam præstandam Principi, cum longe differat rituale obsequium in symbolo fidei distinctum a politico subditorum officio, qui dum jubentur Cæsari quæ sua sunt tribuere, pariter præcipiuntur Deo quæ ipsius sunt reddere, cum Divus Paulus interdicat participanti calicem et mensam Domini a participatione calicis et mensæ extraneæ.

#### DOCUMENTUM 5<sup>m</sup>.

*De Parochis, et Vicariis, tam Foraneis, tam etiam Generalibus.*

Omnes Sacerdotes qui curam animarum sive ex conventionem sive ex canonica institutione gerunt, tenebuntur ad nutum superioris honeste, secrete, et discretè in locum sibi designatum convenire; suis etiam expensis juxta sortem suam, prout ab Ordinario ipsis insinuabitur sibi et sociis seu confratribus pro negotiis expediendis alimenta et alia necessaria contribuere, nuntia et literas Ordinarii inter se et alios intra Diocesim vel provinciam per ministros fideles expedire, mittere et responsa siqua fuërint, referre ipsi vel remittere per alios.

De publicis etiam peccatis suorum parochianorum ad finem emendationis et correctionis convenientis Ordinarium informare.

Vicarii Foranei opportunis temporibus visitabunt suos parochos et alios sibi subjectos, atque ordinationes a nobis constitutas, sive in posterum constituendas exacte facient observari. Nullus autem Foraneus præsumat extra suum districtum, sive in parte Diœcesis alterius curæ commissa, licentiam audiendi Confessiones concedere.

Similiter nec Vicarii Generales extra suas Diœceses; sedulo autem instabunt apud Foraneos et alios ut omnia exacte, ordinatè, et cum ædificatione fiant, “ut is qui ex adverso est vereatur nihil

habens malum dicere de nobis."

Nullus Clericus conjugatus præsumat exercere jurisdictionem ecclesiasticam, sive Officialis' sive Vicarii Generalis, sive Custodis, sive alio quocumque titulo nominetur: Et quoties Catholici bona Ecclesiæ retinent cum licentia Ecclesiæ nefas est aliis Catholicis laicis eos velle in titulo acquisito supergredi, vel circumvenire, aut majori pretio oblato eadem ab hæreticis comparare in præjudicium illorum qui ea prius licite obtinuerunt. Quod de clericis seu officialibus conjugatis jure statuitur, non posse esse judices competentes fori ecclesiastici, idem etiam de illis consendum est, qui in causis ecclesiasticis, puta, matrimonialibus et aliis similibus originem suæ jurisdictionis trahunt a potestate schismatica, quod ut in se illicitum est Catholicis facere, ita actus qui per (*eos*) exercentur, invalidi sunt ex natura sua.

## SECUNDA DISTINCTIO CAPITALIS

*Quæ versatur circa sacrorum curam, et Sacramentorum debitam administrationem. Ordinationes de Ministrantibus in genere.*

Omnes ad sacramentorum administrationem admittendi jurent obedientiam Ordinario.

Admissi ad sacramentorum administrationem poterunt ab Ordinario corrigi, mulctari, amoveri, et ab ordine sive jurisdictionis commissæ executione suspendi juxta delicti exigentiam.

Singuli ad sacramentorum administrationem admissi aut admittendi ministrant tantum in parochiis sibi assignatis vel assignandis, et suis tantum parochianis, nisi in casu evidentis necessitatis, et quando proprius Parochus inveniri non potest. Qui autem aliter fecisse convictus fuerit, proprio paroco tantundem reddet quantum lucratus erit ex tali ministratione et alias arbitrio Ordinarii, poena duplici vel triplici aut ulteriori puniatur pro delicti gravitate et frequentia. Mulctam vero sic exigendam ordinamus in pios usus esse convertendam.

Nullus audeat sacramentum (excepto Poenitentiae Sacramento) ministrare nisi stola amictus, prout clericalem decet gravitatem. Nec sacramenta ministrentur nec dentur benedictiones, nec exorcismi fiant ecclesiastici, nisi in locis congruentibus et honestis, nisi infirmorum necessitas aliud postulaverit. Nec in exorcismis, aut benedictionibus, aut in Sacramentorum administrationibus, aliæ adhibeantur cæremoniæ quam a Sancta, Catholica, et Apostolica R. Ecclesia, admissæ vel comprobatae juxta legitimum et receptum ritum Ecclesiæ Ardmachanae, quæ usum etiam Sarisburiensem passim in hac provincia et per totum fere regnum hactenus toleravit, præsertim cum calamitas quam patimur non ferat hoc tempore multas innovationes, circa res alioquin adiaphoras et indifferentes.

## ORDINATIONES DE BAPTISMO.

Consulitur parochis, ut juxta quod difficultas temporum permittit in singulis parochiis habeant unum fontem Baptismalem bene occlusum et obserratum in loco tuto et honesto. Nullus infans extra illum baptizetur neque alius fons benedicatur, nisi periculum mortis infantis baptizandi, vel intolerabile frigus, aut alia gravisima causa dispensandi in hoc dictaverit.

Consulitur etiam generaliter, ut librum chartaceum una cum manuali circumferant, in quo describenda erunt nomina baptizatorum, parentum, etiam et patrinorum, necnon baptizantis et parochiæ: dies quoque mensis et annus: isque liber ab Ordinario quoties expedire videbitur examinari poterit.

Baptizantes curent integram formam baptismi simul cum ablutione pronuntiare; doceantque populum quæ sit materia et forma baptismi, ne contingat laicos et obstetres in necessitate baptizantes errare et sacramentum facere irritum; estque necessarium ut adsit intentio faciendi quod facit ecclesia.

Nemo præterea amicitiae ineundæ, aut alia ex causa, plures admittat patrilinos ad levandum de sacro fonte, quam unum et unam aut duos, eosque duos ab iis assignatos ad quos pertinuerit: qui secus fecerit arbitrio Ordinarii puniatur.

Nemo existimet sibi licere absque oleo eodem anno ab Episcopo consecrato, baptizare, extra causam necessitatis, præsertim si debitam non adhibuerit diligentiam in procurando sibi oleo sic benedicto. Præcipitur autem omnibus presbyteris cujuscumque Diocesis, ut quotannis circa quadragesimæ initium conveniant, et communi consensu unum quem voluerint ad Episcopum Catholicum cum viatico honesto mittant nuntium, qui oleum ab eo ad Ordinarium referat, a quo solo singuli parochi oleum recipiant. Qui contravenerint puniendi erunt ad arbitrium Ordinarii.

Oleo consecrato pro una vice non admisceatur ultra tertiam partem olei non consecrati; quod quidem pluribus postea vicibus interpellatis (aliquantulo tempore interjecto) poterit ad supplendam necessitatem iterari.

## DE SACRAMENTO CONFIRMATIONIS.

Nemo prorsus qui episcopali caractere non sit insignitus, cujuscumque conditionis aut facultatis, privilegiorum obtentu præsumat in hoc regno sacramentum Confirmationis ministrare; cum nec talis reperiatur adhuc a sede Apostolica delegata potestas in tota hac natione, quæ quantumcumque in aliis oppressa, numquam sic destituta fuit, ut diu penitus ei carendum esset Catholici aliqujus Episcopi solatio. Si quis igitur simplex sacerdos id antehac

attentasse deprehendatur, sive in hac provincia, sive in toto regno, sic consignati poterunt adhuc denuo confirmari absque iterandi sacrilegio.

## ORDINATIONES

### DE EUCHARISTIA DEBITUM MINISTRANDA.

Nullus in diœcesi celebret, qui a superiore non fuerit admissus, nisi forte alterius diœcesis sacerdos Parochus bene notus, aut regularis approbatus sit; poteritque absente Ordinario parochus concedere licentiam presbyteris honestis sibi cognitis; interea dum superior consulitur, alii sive ecclesiastici sive laici non temere admittant quoslibet adventantes ad celebrandum.

Paramenta sint honesta et munda, corporale itidem, et purificatorium, non lacerum nec sordidum, quod pariat celebranti nauseam, calix integer et nitidus, similiter et patena; vinum purum et defœcatum, non acidum aut exoletum, panis autem non aut vetustate corruptus, sed colore et sapore naturali præditus: teneantur parochi ista omnia suis expensis si (quod absit) parochiani id neglexerint aut non poterint ex suo, procurare.

Nemo audeat in loco inhoneste celebrare, fuliginoso, olido, in quo sint pecorum præsepia aut alia sordes; neque in locis nimis tenebrosis absque sufficienti lumine; sed nec sub dio nisi exigatur populi multitudine, aut propter persecutionem; tunc vero curandum ut altare tutum sit a vento, pluvia, et sordibus, quæ supercadere possunt, sitque præterea solidum, firmum, satis amplum, non lubricum, vacillans, aut nimis angustum.

Nullus Eucharistiam populo sub dio ministret nisi cum ipse sub dio celebrat, ne ministretur sine saltem cereo accenso, et mundo linteamine ante communicantes expanso. Cum vero pro infirmorum viatico opportuerit circumferri hoc SS. sacramentum, non deferatur in capsulo, involutum aut in corporali in sinu cum irreverentiæ periculo; multo minus in libro unde in fragmenta conteratur, sed in pixide argentea vel saltem stannea benedicta, quam singuli parochi in hunc usum habere tenebuntur, elapso medio anno, a publicatione hujus Ordinationis, et qui neglexerint pœnis arbitrio ordinarii infligendis subiaceant.

Curent quam diligentissime Parochi, ut nullus eorum curæ commissus absque hoc saluberrimo Viatico discedat, qui si in hoc negligentes fuerint, graviter puniantur: sciantque in extrema infirmitate etiam a non jejunis posse sumi, dummodo periculum absit vomitus sut alicujus indecentiæ.

## DE SANCTISSIMO SACRIFICIO

Quicumque promiserunt certum Missarum numerum ad alicujus petitionem a se celebrandum, sive id gratis, sive pro honoraria pitantia vel eleemosina percipienda promittat, tot integras dicant Missas intentione partis cui promiserunt applicare; de stipendio autem super illis celebrandis nullus fiat contractus, sed gratis acceptetur quod pro labore fuerit liberaliter oblatum. Doceatur populus carnem, sanguinem, animam, et divinitatem Christi Domini in hoc sacrificio realiter contineri, et a populo vere ac realiter sumi, a digne quidem sumentibus in vitam æternam, et ab indigne vero sumentibus, aut habentibus conscientiam peccati mortalis in expiati ad condemnationem et mortem æternam.

Omnes etiam doceantur integrum Christum ut supra sub una tantum specie, hoc est vini, vel panis, quinimmo etiam sub minimo fragmento panis contineri non minus quam in integra hostia. Et ne rudis populus sub utraque specie communicare se putet, non porrigatur ablutionis aqua in calice, sed in aliquo alio vase mundo tum quando celebrans ut alterius parochiæ aut populo serviat, necessitate denuo sit celebraturus eodem die: sumptis speciebus diligenter, laboret calicem deinde eundem, lateraliter in patenam super corporali positum declinare, dum prosequitur Missam usque ad finem ultimi evangelii, quo finito prius ipse exorbeat, tum imponat calici aquam, et vel communicato si talis adsit, vel innocenti puero, aut clerico sumendum tradat, quum aliter lotio non possit commode conservari ad sequentem celebrationem.

## DE POENITENTIÆ SACRAMENTO.

Confessarii cessante gravissima necessitate non excipiant confessiones nisi in loco honesto et patente etiam, præsertim cum audiendæ sunt confessiones fæminarum quas expedient quam brevissime poterunt.

Docebuntque suos pœnitentes honeste se et humiliter exterius componere, vultu dimisso manibusque ante pectus junctis, ad latus sacerdotis se collocando, non in faciem ejus respiciendo, signantes se signo crucis.

Nemo confessiones præsumat audire, qui non sit ab Ordinario approbatus, nec approbetur nisi prius examinetur, ut ejus constiterit esse mediocrem sufficientiam qualis requiritur ad judicium discernendi inter lepram et inter lepram, &c.

Parochi aut alii sacerdotes approbati, citra speciale privilegium non debent alios parochianos absolvere absque licentia proprii

parochi. vel expressa vel ad minus tacita quæ sit ratihabitio de præsentī: qui aliter absolvere præsumeret gravem meretur castigationem usurpando sacrilegam jurisdictionem quam non habet.

Nullus admittatur ad sacramentalem absolutionem, nisi quoad sensum saltem præcipua mysteria fidei Catholicæ de Deo uno in substantia, et trino in personis, de Filii Dei incarnatione, passione et morte pro genere humano, de resurrectione a mortuis, de extremo judicio et vita æterna, et quod extra Ecclesiæ Catholicæ gremium nulli contingat salus: doceantur autem omnes pœnitentes quod tenentur scire memoriter symbolum Apostolorum, idque lingua vernacula, nec debent ignorare Orationem Dominicam aut præcepta Decalogi; hortandi sunt ut addiscant præcepta Ecclesiæ. numerum sacramentorum et officia justitiæ Christianæ. Væ autem parochis et Prælatīs nisi quantum in se patet de his erudiant oves sui gregis.

Doceantque suos pœnitentes juxta eorum capacitatem quodnam sit discrimen inter contritionem (quæ dolor est de peccato tanquam de summo malo propter offensam summe diligendi qui est summum bonum) et inter attritionem quæ dolet quidem de peccatis propter timorem Gehennæ, vel turpitudine peccati quatenus est contra dictamen rationis fide illustratæ, vel propter amissionem bonorum spiritualium, vel bonorum operum, gratiæ divinæ, et vitæ æternæ, qui dolor cum proposito abstinendi imposterum conjunctus, cum Dei auxilio elicitus cum sacramento absolutionis sufficit ad justitiam et remissionem peccatorum assequendam.

Pœnitens ad hoc Sacramentum accedens qui a multo tempore non est confessus et nullius recordatur, præsumi potest non adhibuisse necessariam diligentiam examinandi conscientiam, ac proinde ad aliud tempus, ut se melius disponat, deferendus est; sin aliquot peccata confessus aliorum se dicit immemorem, quæ tunc interrogatus et examinatus reminiscitur, absolvi poterit.

Confessarii debent exprimere numerum et speciem peccatorum, ac circumstantias notabiliter aggravantes. Nulli autem cujuscunque ætatis aut conditionis impendatur absolutio qui non fuerit confessus aliquod peccatum in particulari. Excipe tamen eum qui in mortis articulo præventus morbi gravitate vocem amisit, et signo vel nutu ostendit se velle confiteri; vel si omni sensu destitutus sit testimonio adstantium constet eum petiisse confessarium ut confiteatur quando mentis erat compos.

Satisfactio pro peccatis injungenda accommodetur qualitati personarum et gravitati delictorum, sitque tam in vindictam præteriti, quom in medelam futuri, ita tamen ut personæ ad id tantum quod possint, et libere acceptabunt, obligentur. Numquam tamen pro peccato occulto pœnitentia publica, ex qua peccatum vulgo dignosci queat injungatur.

Ubi damnum aliquod famæ vel bonorum tertiæ personæ illatum est, necessaria est satisfactio vel restitutio si moraliter possibilis sit,



nec in hoc poterunt Confessarii dispensare. Rancore omni non dimisso et causa propinqua peccati non evitata nullus absolvendus est, quoniam sic absolutus non est poenitens nec bene dispositus.

Confessarius præmissis admonitionibus et injuncta poenitentia absolvat poenitentem his verbis "Dominus Noster Jesus Christus te absolvat, et ego auctoritate qua fungor absolvo te ab omni vinculo excommunicationis in quantum possum et indiges : deinde ego te absolvo ab omnibus peccatis tuis in nomine Patris et Filii et Spiritus Sancti, Amen." Et omnes hac sacra forma, omissis aliis omnibus, utantur.

Qui a casibus Ordinario reservatis scienter absolverit, a confessionibus audiendis suspendatur, et gravius arbitrio Ordinarii puniatur. Casus autem qui intelliguntur reservati sunt omnes qui juri communi reservantur, de quibus consulendus Navarrus et alii Doctores : deinde sequentes erunt considerandi.

## QUORUNDAM CASUUM RESERVATORUM OBSERVANTIA.

1<sup>o</sup>. Oppressio infantium voluntaria vel ex affectata negligentia. Et peccatum communicationis in ritibus ecclesiasticis cum novatoribus nostri temporis, Protestantibus vel Puritanis.

2. Absolutio eorum qui sine licentia Ecclesiæ Catholicæ detinent et usurpant decimas, redditus, prædia, terras vel alia bona quæcumque Ecclesiæ, non habita licentia Ordinarii, aut qui conducunt, emunt, aut quovis modo ab hujus modi usurpatoribus non habentibus licentiam obtinent.

3. Eorum qui vel propinquis vel vicinis suis Catholicis damnum inferunt, terras seu prædia sive titulum aut interesse proprium vendunt, locant, aut donant potentioribus, nisi id justa necessitate fiat quia omnibus aliis viis tentatis, res suas habere non possent, idque bonorum virorum testimonio demonstrent.

Publici et inveterati adulteri et noterii concubinarii, præsertim si sint presbyteri, cum suis concubinis ; præterea infames ac notorii potatores atque aleatores ; scurriliter et vage cursitantes non absolvantur inconsultis Ordinariis. Idemque judicium est de officialibus conjugatis et his qui a potestate schismatica jurisdictionem derivant fori Ecclesiastici.

Eorum qui scienter in gradibus a jure canonico prohibitis sine dispensatione contraherent matrimonia, et eorum qui tanquam testes adultores vel adjuutores hujusmodi matrimoniis interfuerint ; necnon et eorum qui publico in incestu conjunxerint.

Raptores feminarum sub parentum, tutorum, et curatorum cura consitutarum, etiamsi ipsæ consenserint, necnon quarumcunque aliarum sui juris et potestatis feminarum sine proprio et prævio

ipsarum consensu, ac omnes earum raptoribus auxilium, consilium aut favorem præbentes in tali delicto, cum sint jure excommunicati eorum absolutionem reservatam esse volumus,

Generaliter idem dicendum est de absolutione laicorum qui procurant matrimonium contrahendum sine præsentia parochi, aut alius de ejus licentia aut solemnitatibus jure requisitis, maxime si id fuerit coram testibus, et nullum timeretur malitiosum impedimentum si parochi præsentia et aliæ solemnitates adhiberentur.

### PŒNITENTIARIII PRO RESERVATIS.

In qualibet Diocesi constituendus est Pœnitentiarius unus aut plures, pro reconciliandis iis qui lapsi sint in peccatum excommunicationis in ritibus, et aliis casibus reservatis absolvendis.

### ADVERTENTIA CIRCA ABSOLUTIONEM A RESERVATIS.

Quando occurrit casus reservatus adeundus est Ordinarius aut Pœnitentiarius delegatus, et integra confessio illi facienda; cui si opportunum non fuerit illam audire integram, potestate ab eo impetrata Parochus aut alius sacerdos approbatus poterit absolvere a casu reservato; quod si neutrum facere poterit pœnitens faciat parochi integram confessionem qui ipsum absolvens debet monere ut superiorem adeat pro illo casu: necessaria est eadem ratio in censura reservata.

### DE SACRAMENTO EXTREMÆ UNCTIONIS.

Curent diligenter parochi ut nemo eorum curæ commissus absque sacramento Extremæ Unctionis moriatur; et qui in hoc negligentes fuerint arbitrio ordinarii puniantur. In feminis autem propter honestatem et decentiam omitti poterit lumborum unctio.

### DE SACRAMENTO ORDINIS.

Non dentur per Vicarios Generales literæ commendatitiæ aut dimissoriales nisi illis qui fuerint natalitiis, vita, ac moribus commendabiles, qui que velint ac valent in suis diocesisbus in munere ad quod assumuntur inservire; et quoque in eadem diocesi de patrimonio, aut stipendio ad honeste vivendum sufficienti sciverint jam esse promissum, aut saltem post ordinum susceptionem certe providendum fore, et de hoc in suis literis mentionem facere tenentur.

## DE MATRIMONIO.

Nullus Sacerdos vel laicus temere præsumat consilium, auxilium, aut favorem præstare, quo filii in potestate constituti, aut minores, sen pupilli sub tutorum, aut curatorum, directione et tutela positi, ineant matrimonium absque illorum consensu, et multo minus contra justam et rationabilem illorum voluntatem, clericis sub pœna excommunicationis, laicis sub pœna interdicti incurrenda injungitur.

Nullus Sacerdos sub pœna indignationis Ecclesiæ et multæ toties quoties luendæ ausit interesse matrimonio clandestino, aut alicui omnino matrimonio contrahendo per verba de præsentî, nisi certe sibi persuadeat contrahentes libere consentire, et ante contractum matrimonium præmittant confessionem Sacramentalem: sin contrarium fiat, absque missa et benedictionibus, admoneantur conjugēs ne se exponant peccandi periculo matrimonium consummando ante benedictiones. Instruatur autem populus substantiam matrimonii consistere in personarum idonearum et habilium mutuo consensu, verbis, vel signis æquivalentibus expresso; benedictiones autem esse solemnitates ex præcepto et consuetudine Ecclesiæ requisitas.

Consultur Parochis ut librum habeant in quo nomina eorum qui contraxerint describant, necnon et diem et locum contractus, et nomina testium qui contractui interfuerint, quem librum diligentissime custodiant penes se, et ordinario quoties requisierit exhibeant, et si dispensatio concessa fuerit, fiat mentio de illa in libro eodem, addatur et nomen dispensantis et ordinarii approbantis.

Omnes causas matrimoniales controversas singuli parochi in suis parochiis describant et ad ordinarium deferant semel in quolibet trimestri; similiter et casus Ecclesiasticam dispensationem requirentes.

Dispensationes sive ad retinenda bona Ecclesiastica, sive ad contrahenda matrimonia in gradibus a jure prohibitis, non decent concedi nisi causa sufficienter examinata, cujus cognitio merito præsumitur ab ordinariis, melius quam ab aliis posse fieri; et proinde justam esse si ab eis approbetur et acceptetur. Parochi vero qui promiscue admitterent dispensationes quascumque, nec causas dispensandi nec facultatem dispensantis, satis ab ordinario cognitās scientes, arbitrio ejusdem ordinarii puniantur.

Nemo cujuscumque gradus vel conditionis post denuntiationes factas, præsumat directe vel indirecte, publice vel privatim, impedire cursum matrimonii, nisi certo constiterit de previo contractu, vel alio canonico impedimento, vel si illud occultum sit dicatur soli sacerdoti, cujus erit antequam res ulterius procedat rem diligenter investigare. Parochus vere non obstante cujuscunque inhibitione, præterquam parentum, tutorum, curatorum, aut propinquorum ad quos pertinet, partes inter se cōsentes matrimonio conjungere non omittat nisi constet impedimentum esse legitimum et non malitiose confectum.

## DE PRÆCEPTO ECCLESIASTICO

*annuæ Confessionis et Communionis.*

Quanquam præcepto annuæ confessionis satisfiat confitendo quocunque anni tempore: annuæ vero Communionis præceptum in jure limitatur ad tempus Paschale, scilicet a Dominica Palmarum ad Dominicam in Albis inclusive, quanquam aliquis communicaturus si peccati mortalis conscientia gravetur confessionem tenetur præmittere, et quoniam in multis hujus regni locis magna est sacerdotum penuria, ac summa difficultas communicandi præcisè in tempore Paschali: idcirco Revmus D. Paulus Papa Quintus concessit extensionem longioris spatii, scilicet a feria 4<sup>a</sup> Cinerum usque ad Festum Ascensionis ad sublevandam illam necessitatem. Forma autem illius Indulti hoc tenore subsequitur pro quietandis timoratis conscientiiis.

PAULUS P.P., V. ETC.,

(See this Bull in "Statuta Dubliniensia.")

## TERTIA DISTINCTIO CAPITALIS

*de morum reformatione et abusuum quorundam abolitione.*

Clerici omnes tabernas fugiant, nec domas ingrediantur in quibus sint mulieres suspectæ: si qui autem concubinas, seu fornicariam aliquam tenuerunt obligentur, ut nec in eadem parochia facile permittantur cohabitare; sed vel illi ad aliam curam si clerici sint, vel illæ ad aliam vicinam debent amandari. Nec sint addicti aleis, aut foliis lusoriis qui sacram paginam versare debent et piæ lectioni vacare, qua se et alios possint ædificare. Consulitur itaque singulis ut summam aliquam Casuum comparent unde singulis diebus unum aut alterum deliberent. Similiter et Catechismum sive Romanum, sive Petri Canitii, aut alterius approbati auctoris, quo suos parochianos imbuant mysteriis doctrinæ Christianæ; quod si ex Catechismo exemplorum per Anthonium Daverailt vel alii idonei collectoris subinde referent historiam sacram convenientem mysterio quod elucidant pro captu audientium, multum juvare poterit ad saniolem articuli intelligentiam assequendam. Fugiant et Clerici familiaritatem hæreticorum, nec de aliis rebus commercium cum eis habere velint, nisi ut retraherentur ad salutem; quod cum arduum sit, nec cujusvis humeris idoneum negotium, illi soli poterunt tractare de rebus

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fidei, sive disputando sive conferendo, quibus hoc vel a jure permis-  
sum est, vel quibus id injungitur ex obedientia superioribus debita,  
vel ad hoc impetrata licentia.

### DE PROVOCANDO AD ÆQUALES HAUSTUS.

Quia jam brevi temporis decursu irrepsit in hoc regnum nefaria  
consuetudo provocandi invicem ad æquales haustus, unde facultatum  
dilapidatio, et sanitatis subversio, et deplorandum salutis animarum  
naufragium subsequuntur, ut huic malo, ne latius serpat, conve-  
nienti remedio posset occurri, sacerdotibus omnibus districte præ-  
cipimus sub pœna suspensionis incurrendæ, ne vel provocati ullo  
modo æquales haustus acceptent, quanto minus debent ad eosdem  
provocare alios, laicos vero omnes cujuscumque conditionis fue-  
rint qui sollicitaverint ad hujusmodi haustus vel eos acceptaverint  
a sacris arceantur ex judicio Ordinarii; ejusdemque peccati absolu-  
tio sit reservata ipsis Ordinariis, aut per eum delegato Pœnitentiaro;  
curetque ut juxta delicti gravitatem ac frequentationem sic provo-  
cantes et acceptantes publicam faciant pœnitentiam.

Ordinamus insuper, ut hoc decretum per Parochos populo pro-  
mulgandum post duos menses a notitia vim habeat.

### DE SORDIDO QUÆSTU FUGIENDO.

Importunæ et illiberales eleemosynarum exactiones avaritiam et  
sordidum quæstum sapiunt; eapropter nullus sacerdos pro se aut  
pro alio inter celebrandum ullas eleemosynas postulet. Si autem  
Ordinarii locorum aliquibus suas literas commendatitias ad elee-  
mosynas propter pias causas colligendas concesserint, tunc peracto  
sacro, necessitatem populo commendent sine ulteriore exactione.

Constat etiam ab hujusmodi sordido quæstu et avaritia non multo  
distare, ad eleemosynas colligendas sacras reliquias, sanctorum vetera  
monumenta, aut eorum imagines, frequenter per diversa loca circum-  
ferre; hocque cedere in ipsarum reliquiarum irreverentiam et  
vilipendium, tam in totius Cleri non solum apud hæreticos, sed  
etiam apud ipsos Catholicos (ut experientia docet) vituperium et  
ignominiam. Statuimus igitur ut in posterum nullæ hujusmodi  
reliquiæ aut Sanctorum imagines cujuscumque generis sint, ad tales  
quæstus faciendos, extra loca sua circumferantur; nisi Ordinariis  
locorum, ob publicam, eamque piam causam ipsisque notam, visum  
fuerit licentiam concedere, quam nonnisi raro et ad determinatum  
tempus atque in scriptis, concedent non obstante quacumque etiam  
immemoriali in contrarium consuetudine. Abusum etiam illum di-

recte abolere volumus, quo in aliquibus partibus laici hujusmodi Sanctorum vetera monumenta per diversa loca circumferentes per eorum in aquam missionem, et aliquas per oratiunculas exorcismos quosdam facere solent; ac deinde populum et pecora eadem aqua aspergebant; hæc enim, scilicet ut patet, superstitionem potius quam pietatem sapiunt.

Corrigant etiam et reforment Ordinarii abusus et superstitiones non nullas, quæ in congressibus ad fontes et arbores ab ignara plebe committi solent. Si tamen illis constiterit virtutem aliquam sanandi inesse fontium aquis sive a natura illis insit, siue ex invocatione et patricinio alicujus Sancti, congressum ad aquas non prohibeant, si tamen supersticiosas circa illas actiones aliosque abusus corrigant.

Præterea corruptelam quorundam simplicium Sacerdotum probus deperditis, aut furto ablati, aut etiam ob alias causas, apud altare coram frequenti populo maledictiones imprecantium, imo excommunicationes aliasque censuras, (ad quas ferendas non habent ullam potestatem) fulminare non dubitantium, de cætero sub gravibus pœnis prohibemus.

## DE INDULGENTIARUM PROMULGATIONE ET ABUSU.

Quamvis Indulgentiarum concessio Christi fideles vehementer ad pietatem et devotionem, et inveteratos peccatores ad pœnitentiam suorumque peccatorum detestationem et confessionem nonnunquam suaviter inducat, constat tamen nimis frequentem et minus circumspectam earum promulgationem inter populos rudes, et quid per hujusmodi Indulgentias concedatur, quavis dispositione eas lucrari oportet, ignorantes, maximam ad ipsarum contemptum et peccata liberalius committenda occasionem præbere. Unde aliqui sibi ipsis persuadent, quod licet alioquin gravissimis peccatis irretiti, imo restitutioni obnoxii sint, ab omnibus tamen indulgentiarum hujusmodi virtute, secluso quocumque alio merito, libere evadent. Et quod pejus est, nonnunquam simplices sacerdotes ipsas Indulgentias publicantes ad hanc falsam persuasionem illis ansam præbent, dicentes per illas a culpa et pœna illos fore liberos. nulla hujus rei adhibita ulteriori declaratione aut expositione: Et ipsi illarum intuitu indifferenter ab omnibus peccatis quantumvis gravibus et reservatis, necnon censuris quibus cumque absolvere pœnitentes præsumant; idque aliquando extra suas Dioceses et parochias, nulla adhibita aut loci Ordinarii approbatione, aut licentia. Quibus malis et aliis plurimis incommodis indies ex hujusmodi indulgentiarum promulgationibus consequi solitis, occurrere volentes, statuimus ut si quæ indulgentiæ deinceps alicui loco concedantur, nullo modo publicentur nisi

prius intimato et ostenso concessionis instrumento loci Ordinario, ejusque super ea re habito assensu et consilio. Indulgentiæ autem quæ non locis sed personis quibusdam benemeritis aliis communicandæ a sede Apostolica conceduntur, privatis singularibus personis ab habente facultatem, injuncto aliquo opere pio, concedi poterunt; coram frequenti tamen populo non publicentur nec promulgentur, cum vix sine abusu hoc modo concedi posse credantur nisi forte ratio et intimata Ordinarii facultate, ac de ejus consilio et assensu, modo aliquo adhibito quo prædictis abusibus occurrì possit.

#### QUARTA DISTINCTIO CAPITALIS

*de jejuniorum, abstinentiarum, festorum observatione, ac piorum legatorum ordinatione. Cui subjungitur vetus Constitutio Ardmachana de Decimis, et suppellectile Ecclesiastica.*

##### 1°. DE JEJUNIIS ET ABSTINENTIIS.

Ex usu Ecclesiæ Ardmachanæ abstinendum erit ab esu carnium omnibus feriis quartis per annum, feriis etiam sextis ab esu ovorum et lacticiniorum, quibus tamen vescitur in Sabbatis per annum. In vigiliis totius anni et Quatuor anni temporibus, puta prope Pentecostem, prope Festum Exaltationis sanctæ crucis, prope Festum Sanctæ Luciæ (exceptis feriis sextis et Quatuor Temporibus proximis post 1<sup>am</sup> Dominicam Quadragesimæ) non abstinetur ab ovis et lacticiniis, sed tantummodo a secunda refectione. Vigilia Pentecostes jejunatur, Epiphaniæ vero non jejunatur, omnibus Dominicis Quadragesimæ abstinetur ab ovis, non autem a lacticiniis aut secunda refectione; reliquis autem totius Quadragesimæ diebus omnes abstinere tenentur tam ab ovis et lacticiniis, tum etiam a secunda refectione nisi aut Indulti Apostolici beneficio juxta ipsius Brevis tenorem, aut juris communis dispensatione utantur, excusante infirmitate aut alia causa legitima ex judicio medici et consensu Parochi. Præterea omnibus feriis sextis per annum, sicuti in vigiliis Nativitatis, Conceptionis, et Annuntiationis, necnon et Purificationis B. M. Virginis jejunatur passim a devotioribus (prout a quibusdam etiam tempore Adventus jejunatur) quod ab aliis tribuitur devotionis magis quam obligationis esse: quomodocunque autem fuerit illa consuetudo sive obligationis sive devotionis, ex decreto Synodi Ardmachanæ tranfertur Vigilia Purificationis in privilegium St. Brigidæ Virginis et hoc censeatur implicite intentum ab iis qui vovissent jejunare omnibus Vigiliis B. M. Virginis nisi aliud inter vovendum expresserint.

Si vigilia St. Joannis Baptistæ inciderit in Festo Corporis Christi, ob honorem tantæ solemnitatis die præcedente quoad jejunium observatur: Vigilia Annuntiationis quoties infra Octavam Paschatis occurrit non jejunatur.

Dies vero quibus citra jejunium abstinetur a carnibus ex ritu Ecclesiæ Ardmachanæ sunt dies rogationis, scilicet, feria 2<sup>a</sup> 3<sup>a</sup> et 4<sup>a</sup> proximæ antecedentes Ascensionem Domini, dies St. Marci Evangelistæ, nisi in Dominica inciderit, aut infra triduum Paschatis quia tunc ejus abstinencia eo anno cessat.

## COMMUTATIO JEJUNII ET ABSTINENTIÆ CONCESSA A SEDE APOSTOLICA.

“*Clemens VIII. Venerabilibus fratribus episcopis per Hyberniam constitutis. Venerabiles fratres solutem, &c.*”

Virtute hujus delegationis omnes Vicarii Generales et Foranei aliiq̃ue in dignitate constituti, et cæteri ab Ordinariis approbati Prædicatores, et sacerdotes animarum curam gerentes, quamdiu se bene gesserint subdelegati sunt ab Archiepiscopo Casiliensi in absentia Primatis, cum facultate illam commutationem faciendi juxta tenorem Indulti Apostolici, (excepto esu carnum feria quarta, et ovorum in Quadragesima, necnon lacticiniorum omnibus feriis sextis Quadragesimæ, itemque quarta Cinerum et feria quarta Majoris Hebdomadæ) illis qui hoc Indulto uti voluerint recitantibus 5<sup>ies</sup> *Pater Noster et Ave Maria* pro statu Ecclesiæ in his regnis, pro Catholicorum libertate et peccatorum conversione, bono regimine; nisi maluerint aliquid in pios usus contribuere singulis annis pro sua devotione et liberalitate, quod consignare poterunt in manibus Ordinarii, vel eorum quos ipsi nominaverint, a quibus ratio dati et accepti suo tempore exigi poterit.

## 2º DE MODO OBSERVANDI DIES FESTOS.

Decernimus obligationem cessandi ab operibus servilibus incipere a media nocte precedente diem festum, continuariq̃ue usque ad mediam noctem sequentem; et hoc notum omnibus fieri volumus ad tollendos scrupulos qui nascuntur ex varia observatione festorum. Cumque tempore messis aliquando fruges in die festo colligi oporteret quæ alias verisimiliter essent perituræ: equidem ut tali oblata occasione sacerdotes concedant suis parochianis licentiam hujusmodi fruges alioquin perituras colligendi in diebus festis, audito prius sacro, si fieri poterit, et injunctis omnibus et singulis qui licentia uti voluerint aliquot orationibus, aut alio opere. Dominicis vero diebus id non fiat nisi magna et urgentissima necessitate cogente.



OBSERVATIONES CIRCA FESTOS DIES ABROGATOS  
IN CONCILIO ARDMACHANO PROVINCIALI,

ANNO 1556.

Statutum et ordinatum est, in Concilio Provinciali Revmi. in Christo Patris ac Domini, D. Georgii Dudeal Archiepiscopi Ardmachani et totius Hiberniæ Primatis, celebrato in Ecclesia St. Petri de Drogheda, 16<sup>to</sup> mensis Februarii 1556, quod infra-scripti Festi quoad divinum servitium a ministris Ecclesiæ temporibus futuris, ut consuetum erat, observentur et in Ecclesia celebrentur et sic in pulpito temporibus debitis, sicut et festa, declarentur et exponantur parochianis. Non per hoc tamen prohibetur operariis, agricolis, aliisque laborantibus, quominus dictis diebus festivis sua opera ruralia exercere possint.

Conversionis S. Pauli,  
Visitationis B. M. Virginis.  
St. Margaretæ,  
St. Annæ,  
Decollationis S. J. Baptistæ,

S. Francisci,  
S. Augustini,  
S. Clementis,  
S. Petri ad Vincula,  
S. Bernardi,  
S. Barnabæ,

Exaltationis, S. Crucis,  
Nicolai Episcopi et Confessoris,  
Vigilia Purificationis B. M.  
V. debet observari in Vigilia Sanctæ Brigidæ.

Hæc eadem Constitutio diu autem edita dicitur in Concilio habito apud Kelles anno 1142, in quo præsidebat Joannes Cardinalis, Sedis Apostolicæ Legatus.

DE FESTORUM NUMERO IN QUIBUS DE JURE

*aut consuetudine cessandum est ab operibus servilibus.*

1<sup>o</sup> Festa Domini viz. : omnes Dominicæ per annum, Nativitas Domini cum 3 sequentibus scilicet S. Stephani, Protomartyris S. Joannis Evangelistæ, et SS. Innocentium ; Circumcisio et Epiphania Domini, Pascha cum 2 sequentibus, Pentecostes cum 2 sequentibus, Ascensio, Festum Corporis Domini, Inventio S. Crucis, 2<sup>o</sup> Festa Dominiæ Deiparæ Virginis, Conceptio, Purificatio, Annuntiatio, Assumptio, et Nativitas. De Visitatione servari poterit consuetudo Ardmachana, eadem est ratio de Præsentatione—3<sup>o</sup> Dedicatio S. Michaelis, 4<sup>o</sup> Nativitas S. Joannis Baptistæ. 5<sup>o</sup> Festa apostolorum et Evangelistarum omnia et singula prout calendario enumerantur, exceptis quæ excipiuntur in decreto Synodali supraposito. 6<sup>o</sup> Festum St. Laurentii Martyris. 7<sup>o</sup> S. Martini Episcopi et Confessoris, item Festum S. Patricii Hiberniæ Apostoli, 17<sup>o</sup> Martis. 8<sup>o</sup> Festum B. Mariæ Magdalænæ et B. Catharinæ Virginis et

Martyris. 9<sup>o</sup> Festum omnium Sanctorum. Dedicatio Ecclesiæ celebranda est cum Octava, incipiendo a proxima Dominica post diem festum S. Hieronymi Presbyteri et Confessoris, 30<sup>mo</sup> Septembris. Commemoratio omnium fidelium defunctorum a meridie passim non observatur, Festa propriorum Patronorum et Titularium servanda erunt ex veteri instituto et consuetudine approbata cujusque loci. De St. Brigida et Columbano nil innovandum censemus, quapropter eorum solemnitates relinquimus juxta receptam consuetudinem et devotionem.

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### 3 DE CONFRATERNITATIBUS,

*legatis piis, et ultimarum voluntatum executione.*

Confraternitates, hospitalia, et aliæ piæ foundationes, quomodocumque nuncupentur, quæ ad Dei cultus, pauperum sustentationem, et animarum salutem sunt instituta, etiamsi eorum cura ad laicos pertineat, aut exemptionis privilegio sint munita, ab Ordinariis visitari debent, et computus eorum ac rationes administrandi a quibuscumque illa administrentur, ab iisdem Ordinariis videri, examinari, exigi et recognosci poterunt, quoties hoc illis expedire videbitur, idque sive per seipsos, sive per alios ad hoc ab ipsis deputatos.

Si qui autem administratores refragabuntur rationem reddere illis id ordinate poscentibus, si laici sint, ingressu Ecclesiæ interdicantur, si vero clerici suspendantur.

Legata pia ad usus indeterminatos relicta poterunt ab Ordinario, non a Vicario Foraneo aut Parochis, ad certos et determinatos usus applicari. Relicta vero ad certos usus quam primum ad eosdem applicari curabunt. Testamenta etiam et ultimas quorumlibet voluntates juxta mentem testatorum fideliter et mature exequendas procurabunt: commutationem ejusmodi voluntatum nullus Vicarius etiam Generalis attentabit absque speciali mandato aut privilegio; idque ob gravem et urgentem causam, et non aliter fiat.

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### DE SACRA SUPPELLECTILI, DECIMIS, ALIISQUE REBUS ECCLESIASTICIS VETUS CONSTITUTIO ECCLESIE ARDMACHANÆ.

*In Dei Nomine. Amen.*

Per præsens hoc publicum instrumentum cunctis apparet evidenter quod Anno a Nativitate Christi 1328, indictione 1<sup>a</sup> Pontificatus

SS<sup>mi</sup> in Christo Patris et Domini D. Urbani divina Providentia Papæ Sexti, anno primo, Mensis Julii 5<sup>to</sup>, in Ecclesia S. Petri de Drogheda Ardmæ. diœcesis, Notarii publici infra scripti et testium subscriptorum ad hoc specialiter vocatorum et rogatorum præsentia, personaliter pro tribunali sedens Venerabilis in Christo Pater ac Dominus D. Milo Dei gratia Archiepiscopus Ardmacanus et totius Hiberniæ Primas, in sua sancta synodo de consensu et assensu totius Cleri suæ dictæ Diœcesis Armachanæ, constitutiones infra scriptas confirmavit et taliter decrevit prout decretum (ut dicebatur) per Vener. Patrem bonæ memoriæ D. Donatum Archiep. Ardm. Hiberniæ Primatem, ac etiam per Venerabilem Patrem D. Ricardum bonæ memoriæ quondam Episcopum Midensem in eorum visitatione Metropolitana.

Inter cætera provisum est et ordinatum quod Parochiani de omnibus quæ in Archivis custodiantur sint de cætero certiores ne inter illos et rectores ambiguitas generetur progressu temporis. Volumus de cætero et præcipimus quod Parochiani tenentur omnia subscripta invenire viz.: Legendum,<sup>1</sup> Antiphonale, Graduale, Psalterium, Troparium,<sup>2</sup> Ordinale, Missale, Manuale,<sup>3</sup> calicem, vestimentum principale, cum dalmatica, tunica, casula. et cappa,<sup>4</sup> de serico cum omnibus suis appendiciis, Frontale ad magnum altare cum 3 tobaleis, 3 superpellicia, unum Rochetum, Crucem pro mortuis, duo ceroferraria, unum thuribulum, lanternantes,<sup>5</sup> tintinnabulum coram corpore Christi ad visitandum infirmum, honestum velum pro Quadragesima, pixidem pro corpore Christi, vexilla pro Rogationibus, campanas cum chordis, feretrum pro defunctis, vas pro aqua benedicta, oscularium (sive Pax), candelabrum pro cereo paschali, fontem cum cera, imagines in Ecclesia, imaginem principalem in Cancellu clausuræ cœmeterii, undique reparatio librorum et vestimentorum, quandocunque constiterit emendari debere.

Item præcipimus quod nullus sepeliatur in ecclesia, nisi Rector, vel Vicarii, vel Patronus, sine licentia rectoris vel Vicarii speciali. Ludi nec mercata<sup>6</sup> nec placida<sup>7</sup> sint in Ecclesia quoquomodo nec in cœmeterio, nisi tantum orationes et opera misericordiæ. Et quoniam propter diversas consuetudines nostræ Ardmachanæ Diœcesis Ecclesiæ in petendis decimis, inter Rectores et Parochianos rixæ, contentiones, scandala, et odia multoties oriuntur volumus, statuimus, et præcipimus, quod decimæ de frugibus, non deductis expensis, integre et sine aliqua diminutione Deo solvantur; et de frugibus arborum, hortorum, et de seminibus omnibus et omnibus plantis hortorum, nisi parochiani velint satisfacere Rectori aut Vicario.

Item præcipimus et statuimus quod Decimæ de anseribus, de annatibus, omnibusque pullis gallinis, columbis, cignis, gruibus pavonibus, fesonibus, sive de omnibus domesticis volatilibus, feris

bestiis, porcis, et de omnibus bonis tam non nominatis quam nominatis quæ revocantur per annum integrum persolvantur.

Item volumus statuimus et præcipimus quod Decimæ de boscis,\* fenis, de magnis pratis, sive de parvis crescentibus, Deo et Ecclesiæ persolvantur.

Item de incrementis agnorum, volumus et præcipimus quod quolibet anno Deo reddatur pro agno obulum [obolus?] et pro sex agnis reddatur unus ad decimam, et si vendantur ante decimationem, decimæ de denariis reddantur, et sic fiat de decimatione lanæ.

Item si oves nutriantur in uno loco in hyeme, et alibi in æstate, dividenda est decima pro rata temporis, et si quis emerit oves et vendiderit, et certum fuerit a qua parochia venerint, dividenda est decima, et si incertum fuerit, totam decimam illam parochialis Ecclesia ubi tondentur percipiat.

Item volumus et statuimus quod decima lactis solvatur per totum annum tam in quadragesima quam in Autumno, et hoc sub pœna excommunicationis nisi satisfaciant rectori vel vicario.

Item de pasturis et pascuis tam in communibus quam in generalibus, statuimus quod decimæ solvantur.

Item de piscationibus, turberiis, ac aliis omnibus opificiis, moleninis, et apibus, et omnibus aliis proficuis qualitercunque acquisitis Deo et Ecclesiæ decimæ solvantur.

Item statuimus et præcipimus quod decimæ de artificiiis, mercatoribus, et carpentariis, fabris, textilibus, brasseriis communibus, furnariis, ac de omnibus stipendiariis, fideliter decimæ persolvantur.

Item præcipimus et statuimus sub pœna excommunicationis quod consuetudo Ecclesiæ de principalibus cum possessione observetur in omnibus.

Item præcipimus quod rectores in virtute obedientiæ et in periculo animarum suarum [1<sup>a</sup>. 2<sup>a</sup>. et 3<sup>a</sup>.] has decimas cum oblationibus earum quater per annum Ecclesiis fideliter faciant innovari: et sic moneantur et excitentur parochiani ne alias detur oblivioni, et si non fecerint neque Deo solverint decimas prædictas modo supradicto, ab ingressu Ecclesiæ suspendantur, et sic gradatim compellantur per censuras Ecclesiasticas usque ad sententiam excommunicationis, et si forte satisfaciunt, relaxatio mittatur ad Episcopum loci post satisfactionem.

1. *Legendum*, liber continens *lectiones* de vitis sanctorum.

2. *Troparium*, liber continens cantus introitus Missæ.

3. *Manuale*, id est liber in quo continetur ordo servitii et administrationis sacramentorum.

5. *Tobalea*, linteamen altaris.

6. *Cappa*, vestis talaris.

7. *Placida*, contentiones.

8. *Boscis*, sylvis.

## CONSTITUTIO EXTRACTA EX REGISTRO ARDMACHANI ARCHIEPISCOPATUS, QUÆ INCIPIT UT SEQUITUR.

Quoniam inter Rectores et Vicarios Ecclesiarum et suos parochianos super arboribus crescentibus in cœmeteriis sæpe contentiones

oriri intelleximus, utrique ad seipsos pertinere contententes, hujus altercationis justitiam declarare volentes, vi juris scripti potius quam constituti existimamus ipsos rectores ac Vicarios suspendere, sive excommunicare posse detentores, cum in hoc casu non injuriam suam, nec aliquid sibi debitum, sed Ecclesiæ suæ potius prosequi videantur. Nam cum cœmeterium, maxime dedicatum, solum sit Ecclesiæ, et quidquid plantatur, seritur, ædificatur, solo cedat, sequitur necessario arbores de cœmeterio ipsas inter facultates Ecclesiasticas connumerari, de quibus disponendis Laicis nulla sit attributa facultas, cum de personis Ecclesiasticis, et etiam rebus spiritualibus nulla sit eisdem concessa potestas, sicut sacra scriptura testatur; solis sacerdotibus dispositio, cura, et concessio Deo commissa donetur. Verum quia arbores illæ, propter ventorum impetus ne Ecclesiæ noceant, plantentur, inhibuimus ne Ecclesiarum rectores aut Vicarii ipsas præsumant prosternere indistincte, nisi cum Cancellus et domus Ecclesiæ indigeant reparatione, nec in alios usus aliquid convertantur.

Præterea si navis Ecclesiæ indiguerit reparatione, et Rectores aut Vicarii ob parochianorum indigentiam, caritative de arboribus ipsis duxerint largiendum, quod fieri non præcipimus, sed quod factum sit commendamus, non obluctamur.

Acta sunt hæc sub indictione Pontificatus, mense, die, et, loco supradictis, Præsentibus Revdis. ac discretis viris Mr°. Gulielmo Neale, Decretorum Baccalaureo in Apostolica autoritate, et imperiali notario publico, Mr°. Joanne Strade, et Rogero Hun, Rectoribus Ecclesiarum parochialium de Strabanare et Clonmeri, viris peritis et aliis testibus Ardmachanæ Diœcesis ad præmissa vocatis et specialiter rogatis. Et ego vero Joannes Whiste, clericus Ardmachanæ Diœcesis, publicus autoritate Apostolica Notarius, præmissis omnibus et singulis prout narrantur et scribuntur, cum prænominatis testibus præsens interfui, eaque sic fieri vidi, et audiui, et alia negotia &c.

[The note on the Council of Trent, next page, was written by the late Dr. Kelly, Professor of Ecclesiastical History, Maynooth College, to whom is also due the credit of commencing the publication of this work. It had progressed thus far under his care; it now falls into the hands of another, whose respect for the memory of two dear friends is one of the chief motives for continuing their valuable labours.—REQUIESCANT IN PACE. AMEN.]

[The date, "*Anno nat. Domini 1328*," p. 135, although written distinctly in the MS., must be a mistake of the transcriber. It should be 1378, the first year of the pontificate of Urban VI. *Milo Sweetman* was not primate until 1361.]

## APPENDIX CONSULTATIONIS PROVINCIALIS

## DE CONCILIO TRIDENTINO ET KALENDARIO GREGORIANO.

Quod certiori fide et relatu spectatorum hominum ad nostram notitiam devenerat circa publicationem et receptionem Concilii Tridentini in hac Provincia Ardmachana, illud est, nonnullos nostros Antistites convenisse in unum in Diocesi Clogherensi, ejusdem Provinciæ, scilicet Redmondum Derriensem Episcopum, Donaldum Rapotensem Episcopum, Cornelium Dunensem et Connerensem, Edmundum Ardaghadensem, Ricardum Kilmorensem Cornelium Clogherensem, et Eugenium Aghadensem, ubi insimul adunati anno (*corrupted into 1697, 1647, 1617, it was 15 . . \**) publicari fecerunt coram multitudine cleri ibidem præsentis concilium Tridentinum ab omnibus esse recipiendum, præcipientes in singulis parochiis recipi decretum de reformatione matrimonii. Ex quo secutum est, ut in pluribus Provinciæ Ardmachanæ Diocesis, in parte etiam Provinciæ Tuamensis, niteretur clerus introducere usum et praxim ejusdem Concilii in Ecclesiastica tribunalia ferendo et tractando judiciales processus ac sententias secundum tenorem prædicti concilii.

Interea non satis constat fueritne in qualibet Parochia earundem Diocesum promulgatum decretum de reformatione matrimonii, certissime autem compertum est in aliis quibusdam Diocesis illius Provinciæ saltem in majori parte quarundem earum, nec publicatum nec receptum esse: Idemque est iudicium de Calendario Gregoriano et quia miserabilis insecuta est rerum inclinatio et status Ecclesiæ immutatio in illa Provincia a tempore illius qualiscumque publicationis, præsertim ex quo in eam subintraverunt novæ coloniæ Anglorum et Scotorum qui diversam profitentur religionem a veteribus indigenis, occasio nata est consultandi quid

\* These dates and the observation are printed as they stand in the MSS. Not being aware that Dr. Renehan has in any of his researches ascertained the precise year of this promulgation of the council of Trent, the writer offers the opinion that it was A.D. 1587. Donagh or Donald M'Congel, bishop of Raphoe, who the text states, was one of the seven bishops present at the promulgation, died in the year 1589—*Four Masters*. Cornelius O'Dullhana, bishop of Down and Connor, who was also present, was not appointed bishop, or at least was not exercising his functions in Ireland before the year 1581. O'Sullivan *Historiæ Catholicæ*, p. 299, Dublin, 1850. The date of promulgation must be fixed therefore between 1581 and 1589. Now as the figure 7 is found in the three conjectured years in the original MSS. that figure is probably correct. Moreover, in that year the expected descent of the Spanish Armada on the Irish and English shores would have emboldened the Catholic prelates of the North, to adopt a measure which they well knew was so dear to heart of the Spanish monarch.

hoc tempore maxime expediret, tenendum et docendum in tanta confusione populorum et varietatum observatione, eo magis quod in aliis Hiberniæ Provinciis Catholici propemodum universi veterem Kalendarii stilum et jus antiquum retinent, et qui de longinquis Catholicis adventant eisdem se accommodant in eodem usu.

Et cum ista Provincia Ardmachana dividatur quasi per tres portiones incolarum, in quarum una numquam receptum aut publicatum fuerit concilium vel Kalendarium, in altera cum aliquando increbuisse concilii aut Calendarii usus, rebus pacifice stantibus, ita nunc invaluit coloniarum plantatio cum præsiidiis et propugnaculis suis, ut nullus fere locus relictus sit ordini aut disciplinæ Ecclesiasticæ, et qui sparsim inter novos Colonos habitant ex antiqua origine et religione Catholici, vix possunt tute consistere etiamsi veteres canones et antiquum computum Ecclesiasticum sequerentur, quantominus si discrepaverint a novis colonis in ratione Kalendarii et observatione Concilii, quum propemodum impossibilia eis reddat difficultas temporum, colonorum circumquaque habitantium et ipsis impendentium multitudo, ac ad ipsos onerandos ac novis provocationibus ac injuriis gravandos obvia proclivitas, unde fit nec Parochi queant designari, nec limitari parochiæ, cum tamen matrimonia quæ juris naturæ sunt et ad propagationem humani generis necessaria, non debeant penitus limitari.

Tertia ejus Provinciæ pars tametsi hæreticorum ubicunque dominantium vim et impetum non omnino effugiat, immunior tamen est ab injuria et gravamine, melius exulta ac pluribus respersa presbyteris Catholicis quam illa de qua jam locuti sumus; secunda enim portio hujus Provinciæ magis obnoxia est noxorum Colonorum violentiæ et insultibus quam hæcce. Itaque omnibus his consideratis, dum expectatur declaratio sedis Apostolicæ visum est consultius, rebus sic stantibus, vel potius fluctuantibus, ne novum onus imponatur afflictorum humeris, qui potius exonerari debent; ac proinde cum omnia decreta exonerantia Tridentini Synodi, qualia sunt limitationes cognationis spiritualis, affinitatis ex illicita copula, justitiæ publicæ honestatis, et similia in hac consultatione ad removendas controversias per totam Provinciam, [recipienda] etiam quoad illas Diœceses sen partes Diœcesium, in quibus antea non erant publicata, tamen nec decretum irritans matrimonia Clandestina ob defectum parochi ad eas extendendum ducimus, et in reliquis partibus per Parochos delegatos etiamsi alias beneficium vel canonicam institutionem non habeant suppleri posse, et de facto suppleri sufficienter, dicimus præsentiam Parochi prout a concilio requiritur. Quod contra eorum temeritatem declarandum duximus, [nequis] ex eo capite inconsiderate prosiliat ad divortia facienda. Si autem aliquæ sint Diœceses in quibus nec Canonice instituti, nec delegati parochi reperiantur, si tum matrimonia aliqua legitima, præveniando Concilii decretum et ab eo præscindendo, valide contracta sint, ea separari vetamus, aut sententiam divortii super illos pronuntiari quasi ex eo

capite invalida sint, quod assistentiam Parochi non habuerint, idque ideo decernimus ne promiscui sequantur concubitus si pateret via separationi faciendæ in tanta necessitate conjugii, cum non suppetat copia Parochorum.

De Calendario autem quandoquidem hoc anno coincidit uterque computus in cursu Quadragesimæ et Cyclo Paschali reliquisque Festis mobilibus inde pendentibus, si ex vetusta deviatione sperari posset conversio et resipiscentia Protestantium id quidem optabilius esset; sin illi se corrigere nolent, ne supra vires graven-tur Catholici multiplicando festa et duplicando, quoniam a Gregoriano semel recepto non possint recedere et ad veterem styllum pariter observandum per leges municipales cogentur, cum eos nollemus coarctari novorum gravaminum renovatione, indoleamus potius miseriis quas sustinerent, ut non audeamus eos directiori cursu temporis deturbare nostro impulsu, ita nec deterrendos putantes si sponte sua et quasi tacito consensu legislatoris sine strepitu et scandalo compescere velint uniformem cum circumhabitantibus computationem, et tam de Calendario quam de reformatione Tridentina sententiam primæ præstolamur sedis, vocem S. Petri in successore suo reverenter in omnibus audituri et obtemperanter secuturi. Commendamus autem omnibus tum Parochis tum foraneis et aliis de clero et populo, orthodoxis Ecclesiæ filijs, et tanquam rectissimam regulam et amussim disciplinæ Ecclesiasticæ sequi, et servari communiter decreta ejusdem Concilii quæ per totum orbem Catholicum venerationem obtinent et auctoritatem merentur et obedientiam. Quod si temporum calamitas non ferat, ut omnia usu et opere assequi, aut debita observantia complere possimus; non propterea debemus quod possibile erit nobis prætermittere, quin potius cum Apostolo Paulo quæ retro sunt obliti ad ulteriora vero nos extendentes, discrete omnia tentanda sunt et quantum poterimus exequemur. Reliquum supplebit Ipse qui novit figmentum nostrum et imperfectum nostrum benigno oculo considerat, cujus immensæ bonitati nos et nostra commendamus statumque hujus Ecclesiæ et patriæ, pro quo sublevando, comitiis durantibus, sacrificia, preces, jejunia et opera misericordiæ juxta normam a nobis alibi præscriptam frequentari monemus et jubemus.

HUGO COGHLAN.



cramenta administret, interea dum ipsi redierint ad proprias oves ; si quis autem secus fecerit, et deserta sua cura se contulerit ad ista funera, ultra peccatum quod incurritur, aliis pœnis etiam pecuniariis infligendis toties quoties subiaceat ; id quod de presbyteris convenientibus sine necessitate ad nundinas, nuptias, et ad alios istius generis vanos et mundanos cœtus et spectacula, neglecta cura quæ impendenda foret animabus sibi concredit, de quibus in judicio Dei rationem reddere tenebuntur.

### TERTIA ORDINATIO,

*pro moderandis excessibus et defectibus in funerum gubernatione quoad laicos.*

Quia usu compertum est in quibusdam hujus Provinciæ locis quosdam excessus et defectus committi in curandis et peragendis exequiis mortuorum, dum alibi nimio luxu in epulas funebres, et lugubres vestitus cum magno hæredum detrimento, et nullo propemodum refrigerio pauperum, quandoque etiam cum damno creditorum expensæ profunduntur, idque aliquando invalescente prava quorundam emulatione, dum mediocres ut exæquent fastum eorum qui locupletiores sunt suas excedunt facultates, in quo graviter peccare ipsi, et suos liberos indebite onerare consueverunt : pro ipso excessu moderando remedium quæri debet : similiter et pro defectu quem alibi in exequiis obrepere conquerantur piæ et timorata conscientiæ, ut per quorundam nebulonum et jocularum nequitiam, quæ nec in domo convivii ferenda, inhonestæ cantiones, lascivæ gesticulationes, quandoquidem etiam cum tenebris opera tenebrarum turpiora exercentur. et cum extinctione luminis pariter extinguitur timor mortis, cujus ut imago in cadavere est exposita oculis, ita memoriæ mentis debet occurrere.

Idcirco omnibus de clero commendatum sit tam Prælati quam concionatoribus, confessariis, parochis, cæterisque divini honoris et publicæ salutis procuratoribus, ut omni meliori via, ratione, modo, consilio, exhortatione, præcepto et divinæ justitiæ contestatione, deterreant, onerent, et obducant suos respective susceptos pœnitentes, parochianos, seu quocunque alio necessitudinis, charitatis aut justitiæ titulo commissos eorum curæ vel directioni, ab omni enormitate, inordinatione, indecentia, errore, et abusu, sive excedendo per luxum sive deficiendo per quamcunque intemperantiam vel luxuriam, omnemque adhibeant diligentiam amovendi et abolendi offensam Dei, dispendium reipublicæ, damnum animarum, scandalum infirmorum et cætera nocumenta quæ noscuntur emergere ex isto excessu et defectu funerum curandorum ; et cum satius esse duxerit Sapiens "in domum luctus ire quam in domum convivii,"

non contingat iniqua conversio e luctu corporis in luctum animæ ire, et domus luctus in domum convivii, quod ut universi et singuli procurent (ut dictum est), mandamus quantum possumus et serio commendamus.

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#### QUARTA ADDITA ORDINATIO,

*pro correspondentia et conformitate inter Clerum sæcularem et regularem juxta diversos gradus Ecclesiasticæ Hierarchiæ.*

In omni ordine, gradu, et instituto, qui discoli sunt, contumaces vel refractorii, perturbant pacem et unitatem qua continetur omnis ordinata societas, et una pecus morbida, nisi tempestive arceatur ab ovibus, totum gregem inficere potest. Idcirco postulat recta disciplinæ ratio ut ubi mansuetudine non proficitur, severitatis adhibeatur acrimonia, quæ ne irrita sit et frustranea mutuis auxiliis et consiliis se invicem fulcire debent Ecclesiasticæ Hierarchiæ præsules. Ac proinde si quis e clero sæculari, vel populo, notorie delinquens, excommunicationis, suspensionis, vel interdicti censura innodatus per sententiam latam a proprio pastore, recurreret saucius ad regulares ordines pro absolutione impetranda, neglecta satisfactione et obedientia qua tenetur obnoxius suo proprio parochi vel antistiti, cum privilegia regularium ad ædificationem, non autem ad destructionem censeantur concessa, nec ad sententiam a iudice latam in foro contentioso rescindendam extendi posse aut debere intelligantur, illud optandum est et gratiose obtinendum a præsulibus religiosorum cujusvis ordinis, quibus hoc ipsum in spiritu pietatis et fraternæ charitatis proponendum requiretur, ne cito manus imponant hujusmodi refractoriis aut rebellibus etiam in foro conscientiæ, sed magis hortentur ut se conforment recto imperio et voluntati suorum superiorum, ne quod unus ædificat, alius destruat, et dum unus claudit, alius aperit, laxitas et impunitas pareat ruinam. Quod si ex institutis regularibus contra suorum antistitem, et [consilium et mandatum] aliqui incorrigibiles exeunt, ad sæcularium curam et officium, ordinarii locorum tales non admittant, nec favebunt eorum contumaciæ quam potius reprimere et frænare expediet, ut mutuam charitatem et correspondentiam utriusque inter se gradus, cum unius corporis membra sint, constabiliant.

## QUINTA ORDINATIO ADDITA,

*pro documento juratorum in negotio præsentationis et submissionis.*

Cum jurati quæsitores qui justitiariis vel commissariis itinerantibus mulcentur ad pœnam pecuniariam et carcerem subeundum, ex eo quod contra conscientias suas nollent præsentare Catholicos, eosque accusare quod renuant adire ecclesias vel schismaticum audire officium, post multas, ærumnas, et diuturnam incarcerationem adigantur multoties ad submissionem faciendam qua deinceps valeant e carcere liberari. Quoniam diversa esse dignoscuntur genera se submittentium; unum agnoscentium culpam et reatum in eo quod præsentare noluerunt; alterum non agnoscentium, sed humiliter supplicantium pro sua libertate: quotiescunque submissio sic concipitur supplicatione ut non cadet super recognitionem criminis, sed super nuda petitione libertatis, salva conscientia admitti poterit a juratis in carcere detentis; idque unanimi consensu totius congregationis receptum et congregatum fuit licite a Catholicis fieri posse.

## S E X T A   O R D I N A T I O

[*but it is torn out.*]\*

DECRETA ET STATUTA OBSERVANDA IN CIVITATE ET  
DIECESI CLUANENSI,

*brevitatis gratia ex Provincialibus multis Ardmachanis collecta  
Octobris 7<sup>o</sup>, 1624.*

## DE VITA ET HONESTATE CLERICORUM.

Cum nihil sit quod alios ad pietatem et Dei cultum magis instruat, quam probata eorum vita ac laudabile exemplum qui se velut ab humanis eripientes, divino ministerio dedicarunt; sic decet omnino clericos in beatissimam Domini sortem felicissimè vocatos vitam moresque suos componere, ut in omnibus gravitatem modestiam ac religionem præ se ferant, se ab omni indecenti proximorum offensione penitus abdicantes, ut non solum internum decorem sed etiam exterioris hominis munditiam profiteantur juxta illud Matt. V. "*Sic luceat lux vestra,*" etc.

Idcirco clericorum habitus honestus sit ac decens, nec nimium

\* These synods are printed verbatim from Dr. Renehan's MS. Wherever it was thought necessary to give a conjectural reading, or to add even one word, it is always carefully inserted in brackets.

The writer does not know of any other copy of these decrees, whence he could print the "Sexta Ordinatio," and what followed not seen by Dr. Renehan.

elegans, minime sordidus, sed talis sit qui ipsorum religioso statui, piæ vocationi modestè respondens, intrinsecam morum honestatem præ se ferat; et ad usum capituli et ecclesiæ cui adscriptus est, quilibet sacerdos hujusce congregationis tenetur habere tunicam oblongam nigri coloris, biretum quadratum, superpelliceum, quibus in muneris sui functione, uti poterit.

2. Clerici omnes tabernas evitent et nundinas, necnon mulierum suspectarum consortia: nec in tabernis integros dies consumant, et multo minus in iis pernocent sub pœna toties quoties.

3. Quicumque revelabit secreta capituli vel in toto vel in parte pœna perjurii punietur, et declaretur inhabilis ad aliquod beneficium obtinendum in hac diœcesi ad tres annos.

4. Quicumque sacerdos turpiter juraverit per Venerabile sacramendum aut sacrificium missæ, per Deum Optimum Maximum, vel aliud simile, more schismaticorum, vel per Breviarium, solidum persolvat toties quoties, et suos subditos inter missarum solemnias moneant ab iisdem juramentis abstinere sub pœna aliqua, toties quoties labentur.

5. Statuimus et ordinamus quam primum innotescant factiones seu laicorum discrepationes de aliquo presbytero retinendo, vel introducendo contra vel præter ordinarii dictamen, non tantum ab illa amoveatur cura, sed etiam a quavis alia per annum, si contumax reperiatur.

6. Statuimus et ordinamus, ut quicumque sacerdos per se vel per servum suum pignus aliquod accipiat pro stipendio in Paschate, vel pro administratione alicujus sacramenti, eo anno illud amittat: secus si sponte offeratur.

7. Statuimus et ordinamus omnibus sacerdotibus hujusce diœcesis in administratione sacramentorum, solo rituali Romano, et non alio uti.

8. Statuimus et ordinamus ad capitulum deferre omnes causas matrimoniales controversas, in eorum singulis paroeciis, et etiam causas dispensationes requirentes.

9. Reservamus etiam ordinariis omnes casus reservatos ipsis in Concilio Provinciali Vadeponi mense Februarii, 1614, quos ibidem videre licet cum iis in *Bulla Cœnæ* reservatis et aliis per Nos.

10. Statuimus, et ordinamus omnibus parochis arcere a participatione divinarum apparitores omnes, nobiles clericos, sive olim bajulatores aquæ benedictæ, decimas ementes, agros vel prædia ecclesiastica possidentes, ordinario inconsulto, nec ex iis solventes juxta statuta Ardmachana.

11. Statuimus et ordinamus, omnibus sacerdotibus habere suis sumptibus missale, breviarium, aliquam casuum conscientiae sum-

\* Quinam sint "nobiles clerici" non nobis constat: "bajulatores" ii sunt proculdubio qui reliquias sanctorum circumferentes, populum et pecora aqua benedicta respergebant. cf. p. 131.

mulam, pixidem argenteam et calicem, novum testamentum (*Concilium Tridentinum, Catechismus ejusdem, etc.*)\*.

12. Statuimus et ordinamus omnibus parochis de collectionibus suis pro usu lacticiniorum, in proximo post Pascha capitulo, Thesaurario rationem reddere, de anno in annum.

Nullus sacerdos comitetur mulierem cujuscunque sit conditionis extra suam parochiam, aut peregrinationis aut subsidii petendi causa, nisi de speciali licentia ordinarii nec fœminam ullam secum in equo ducat.

13. Statuimus parochis omnibus præsentare testamenta omnia coram ipsis condita suis approbanda ordinariis, et maximè personarum notabilium, infra 15 dies.

14. Sacerdotes lusui taxillorum, chartarum et alearum dediti, quæ lusu acquisierint restituere tenentur, et graviter puniuntur arbitrio ordinarii.

15. Sacerdotes fugiant disputationes cum Protestantibus, contentiones et comparationes quascunque, promiscua convivia et solemnitates nuptiarum extra suas parochias etiam ad ipsas invitati.

16. Non admittant sacerdotes vagos ad missæ celebrationem, aut alterius sacramenti administrationem, nisi prius visa licentia ordinarii, neque ullos ad mendicandum sine obedientia suorum superiorum.

17. Nullus sacerdos præsumat, sprete cura, deserere suam parochiam ultra dietam unam nisi cum ordinarii licentia.

18. Statuimus quod ordinario solvatur quarta funeralium et legatorum pars.

19. Singulis diebus festivis recitent Parochi B. M. Virginis litanias pro felicitate ecclesiæ, pro serenissimorum Regis et Reginae incolumitate, pro prole regia, et ordinariorum zelo et reipublicæ relationibus, ante parochialem missam.

Aqua benedicta fiat in singulis ædibus in quibus pernoctaverint parochi, eaque aspergatur tota familia. Orent nominatim parochi inter missarum solemnias pro defunctis suis parochianis, et maximè pro benemeritis de republica et suis benefactoribus.

20. Conveniant sacerdotes Pœnitentiarium aut alios assignatos vel deputatos ad eorum confessiones recipiendas singulis saltem 15 diebus, et sua peccata confiteantur; nec præsumant extra suas parochias aliquod administrare Sacramentum, nisi de ordinarii, atque pastoris loci licentia.

21. Statuimus quod ex omnibus sacerdotibus ex hac vita discedentibus hujus diœcesis, juxta constitutiones seu consuetudinem aliarum diœcesium, relinquatur ordinario ex bonis ipsius defuncti sacerdotis, cum omnibus vestimentis tam exterioribus quam interioribus, pixidem [pyxidis] cum oblationibus quæ erunt pro defuncto sacerdote in suis exequiis oblatae, pro quo etiam obligentur omnes et singuli

\* This is added in an old hand—L. F. R.

sacerdotes respective celebrare decem missas, si ordinarius autem moriatur annona duplicanda est.

22. Caveant præterea sacerdotes, ne quis ex grege sibi commisso sine illo salutari Viatico, S.S. Eucharistiæ sacramento, et Extrema Unctione discedat.

23. Statuimus ut in recessu cujuscunque sacerdotis, ornamenta parochialia, et libri omnes relinquantur in manibus ordinarii sive ejus delegati ad hoc assignati

24. Statuimus, ut singulis diebus Dominicis catechismum edoceant suos subditos.

25. Statuimus quod si parochianus unius sacerdotis elegerit sepulturam in ecclesia alterius sacerdotis, quod oblationes pro defuncto oblatae ex æquo dividantur inter utrumque Pastorem, deductis prius deducendis.

## DE MATRIMONIO.

Sacrosancti matrimonii reverentiam ac religionem nobis etiam Omnipotens rerum omnium conditor Deus insinuavit, cum in primo mundi nascentis exordio primævos nostros parentes in terrestri paradiso maritali vinculo conjunxit; et in lege renovatæ et nascentis gratiæ Christus Dominus matrimonium non modo propria præsentia in nuptiis Canæ Galilææ approbavit, verum inter septem Ecclesiæ sacramenta collocavit atque instituit, ut tanquam manifestum suæ cum Ecclesia conjunctionis signum ac documentum relinqueret.

Vas electionis, Divus Paulus, tanti sacramenti encomia in brevi et ineffabili claudens compendio "Magnum" illud appellavit.

Consequens igitur est ut tam sanctum, tantisque fecundatum mysteriis non nisi pie ac religiose tractetur. Quare enixe moneantur fideles ut dignè ad tantæ gratiæ sacramentum accedere nitantur, et ut majori fructu ac devotione fidelibus ministretur, his statutis ministros instruendos decrevimus.

1. Nullus sacerdos vel laicus temere præsumat consilium auxilium aut favorem præstare, quo filii in potestate constituti, aut minores seu pupilli sub tutorum aut curatorum directione aut tutela positi, ineant matrimonium absque illorum consensu, et multo minus contra justam et rationabilem illorum voluntatem. Clericis sub pœna excommunicationis, laicis sub pœna interdicti incurrendi idem injungitur.\*

2. Ad evitanda scandala quæ ex clandestinis matrimoniis oriuntur, omnibus et singulis parochis hujus diœcesis, expresse mandamus ut bis in anno, viz, Dominica prima Januarii et Dominica prima Julii intra missarum solemnias populo astanti alta ac intelligibili voce, materna lingua juxta populi capacitatem, perlegant ac publicent Decretum S.S. Concilii Tridentini, potissimum in Sessione 24 Cap. 1º de reform. Matrimonii. "Ne" ["Tametsi"], etc., eoque contenta observent et observari faciant sub pœna, arbitrio ordinarii etc.

\* p. 128, *supra*.

3. Nunquam autem sponso diversæ parochiæ sive diœcesis in Matrimonio jungantur parochi, nisi prius denuntiationes ab altero etiam paracho rite factas, nullumque fuisse impedimentum renuntiatum, fidei ipsi testimonio ab ordinario ac alienæ diœcesis paracho subscripto, et ab ordinario pariter etiam approbato, constiterit sub pœna\* [*multæ arbitrio ordinarii.*]

4. Qui Matrimonio conjunguntur, quæ ad salutem necessaria scire debent, scilicet articulos fidei vel symbolum apostolorum, præcepta decalogi, ecclesiæ, orationem Dominicam atque angelicam salutationem memoria recitaverint, de quibus in 1<sup>a</sup> Matrimonii denuntiatione sponso parochus commoneat.

5. Alienigenos, exteros, ac vagantes homines ad Matrimonia in hac Diœcesi sine expressa ordinarii facultate, ac diligenti investigatione in tribunali nostro capienda, nullus parochus sub pœna suspensionis et sub pœna multæ arbitrio, admittat.

6. Moneat parochus sponso ut antequam contrahant vel saltem triduo ante Matrimonii consummationem, peccata confiteantur, et S.S. Eucharistiæ sacramentum percipiant, ut felicissimis divinæ gratiæ auspiciis salutarem Matrimonii gratiam consequentes, pacem et amorem toto vitæ curriculo valeant conservare.

7. Quilibet parochus juxta S. Concilii Tridentini præscriptum, ad conservandam matrimoniorum memoriam quæ in sua contrahuntur parochia, librum ad hoc destinatum habeat, in quo denuntiationes ab ipsis factas conjugesque ac testium nomina, forma in rituali præscripta, describat; hunc vero librum in loco tuto fideliter servet, illiusque exemplar authenticum singulis annis in hac nostra curia consignabit, ut perpetua matrimoniorum quæ deinceps contrahentur memoria in omnem posteritatem servetur, sub pœna prædicta.

8. Et quoniam ex frequentioribus visitationibus quæ solemnem matrimonii contractum præcedunt, ex depravatis hominum moribus, scandala sæpe oriuntur, quinimo etiam (quod pessimum est) copula inter sponso manare consuevit, ideo ante celebrationem matrimonii in facie ecclesiæ, sponsi ab hujusmodi visitationibus frequentioribus sub pœna interdicti prorsus abstineant: quinimo parochis præcipimus, ut eosdem commoneant, se publicè matrimonia non denuntiuros nisi a prædictis abstineant; quod si ante matrimonii celebrationem in facie ecclesiæ se carnaliter cognoscere ausi fuerint non modo pecuniariis (ut supra) verum aliis arbitrio nostro injungendis pœnis, ac publicis pœnitentiis, reservata etiam nobis absolute, subjiciantur.

9. Si transactis duobus mensibus a die ultimæ denuntiationis matrimonii, sponsi in matrimonium non jungantur, iterum factis denuntiationibus ejusdem matrimonii, nec matrimonium eodem die quo fit ultima denuntiatio celebretur, nisi forte Adventus vel Quadragesimæ eundem diem immediate subsequantur.

\* Aliena manu. Vide infra ad annum 1649.—L. F. R.

## IN CAPITULO HABITO IN CIVITATE CLUANENSI,

10 Maii, 1649,

*sub Reverendissimo D. Antonio, Episcopo Cluanensi.*

Propter varia incommoda quæ sequuntur ex negligentia parochorum partim, et partim officiositate religiosorum qui se intromittant officio eorumdem, statuimus quod quicumque regularis assistat testamento alicujus moribundi in hac diœcesi. nisi assistat etiam parochus, qui debeat vocare duos alios testes ad minimum, et idem testamentum præsentare coram ordinario aut officiali ante 15 dies, qui secus fecerint, mulctentur in 10 per centum de valore testamenti, quod mulctum solvatur in pios usus.

Dr. Carolus Coghlan, Decanus.  
 Pr. Donatus Coffey, Thesaur.  
 Pr. Walter Rigny, Pœnitentiarius.  
 Pr. Joannes. Muluolha V. de Balloloughlo.  
 Pr. Thomas Conoile.  
 Pr. Terentius Coghlan.  
 Pr. Arthurus Coghlan.  
 Pr. Patricus M'Mea  
 Pr. Donaldus Shiell.  
 Pr. Jacobus Shiell  
 Pr. Gulielmus Shiell.

Hi omnes supradicti consensum dederunt ad probationem et confirmationem supra dictorum statutorum.

Et ego similiter confirmo et approbo eadem.  
 Fr. *Antonius* [Magheogan] *Episcopus Cluanensis.*

Scriptum per me Hugonem Coghlan, 4, Sept., 1649.

## CONCILIUM PROVINCIALE ARMACANUM:

ANNO DOM. 1670.

Acta, Statuta, et Decreta, habita in Concilio Provinciali

Armacano celebrato in oppido Clunisiæ, Diœcesi Clogherensi, ejusdem Provinciæ die 23 Augusti,\* 1670, præsidente Illustrissimo Reverendissimo Dom. Dom. Olivero Archiepiscopo Armacano, T. H. P., et præsentè D. Dmo. Patritio Episcopo Midensi cum suis respective Vicariis Generalibus, viz Reverendis admodum, D.D., Patricio Daily, et Olivero Daise: item Reverendis D.D. Terentio O'Reilly, V. Apostolico Derriensi; Cornelio Gaffney, V.G., Ardagh; Patricio O'Muldun, V.G., Dromorensi [Dunensi]; Kænano M'Gin, V.G., Dromorensi; Thomas Fitzsimons, Kilmorensi; Patricio Cullen, V.G., Clogherensi; Olivero Daase Procuratori; admodum Reverendo Domno Edmundo Jange, V.G., Clau macnoisensi; Doctore Eugenio Conwell tum instituto Rapotensi et Derriensi Coadjutore, et Reverendis P. Patribus Joanne Byrne ordinis Prædicat. et Joanne Brady minore provincialibus, etc.: Post sacrum et invocato Spiritu

\* Junii in uno exemplari—L. F. R.



Sancto, dicto hymnno Veni Creator, etc., declarandum esse duximus et per præsentes, declaramus, protestanur, ac notum facimus, nos nihil aliud in hac nostra conventione ac synodo meditari velle, aut intendere præter quam Dei gloriam Omnipotentis, religionis Catholicæ exaltationem, Regis ac Reginæ salutem, et conservationem, et totius regni tranquillitatem et pacem, reddentes Cæsari quæ sunt Cæsaris et quæ Dei Deo, itaque sancimus et ordinamus ut sequitur.

1. Statuimus et ordinamus ut in exequiis nullæ fiant computationes nec vigiliæ nocturnæ ab occasu ad ortum solis, nec admittantur nisi consanguinei et proximi amici.

2. Ut Sacerdotes et Clerici Tabernas et nundinas non frequentent, quod si tertio admoniti non obediant beneficiis priventur.

3. Ut omnes sacerdotes non admittant ancillas nisi bonæ famæ et de quibus nulla prorsus sit suspicio; admittantur cognatæ usque ad tertium vel quartum gradum; et nullæ prorsus in cubiculo sacerdotis dormiant.

4. Ut omnes parochi domicilium fixum habeant sub pœna arbitraria.

5. Ut nullus sacerdos seu clericus quamcunque fœminam equitando retro se gerat.

6. Nullus V.G. ultra duos menses a sua diœcesi, absque speciali licentia Metropolitani, absit.

7. Ut Clericus quicumque, qui pro beneficio aut officio obtinendo, aut pro se vindicando de suo superiore aut competitore, recurrerit ad brachium sæculare, præter infamiæ notam, eo ipso incurrendæ, sit ipso facto inhabilis et incapax beneficii aut officii pro quo taliter recurrit, et laicus se immiscens huic casui sit excommunicatus.

8. Ut nullus sacerdos seu sæcularis seu regularis substituatur in parœciis sine approbatione ordinarii loci.

9. Ut in qualibet diœcesi sint examinatores synodales et duo magistri cæremoniarum, sine quorum, aut saltem unius de ipsis, approbatione nullus admittatur ad celebrandum.

10. Ut nullus parochus quæstus ad sua altaria fieri permittat sine expressa ordinarii licentia in scriptis accepta.

11. Ut nullius ordinis aut religionis fratres qui in diœcesi aliqua a memoria nostra aut parentum, conventus aut residentias non habuerint, ad inibi residendum de novo admittantur, et parochi talibus religiosis mendicare aut predicare ad altare non permittant, sine licentia ordinarii in scriptis sub pœna excommunicationis.

12. Statuimus et ordinamus ut quicumque defunctum qui vivus, specialem sibi non elegit sepulturam extra parochiam propriam ad aliam sepeliendum transtulerint, a divinis arceantur donec eorum ordinario se sistant et pœna arbitria mulctentur.

13. Ut nullus sacerdos sive regularis sine secularis sub pœna suspensionis ipso facto incurrendæ diebus Dominicis vel festivis bis celebret nisi gravi necessitate urgente, et præsertim in eodem altari, absque expressa Ordinarii in scriptis licentia.

14. Ut nullus Parochus quæstus pecuniarios exigat ad altare nisi quater in anno.

15. Ut designetur locus aliquis conveniens Parocho et parochianis in quo Missa habeatur, sive sacerdos duo habeat altaria, sive unum tantum; quod si parochiani dissenserint, electio et designatio loci sit penes sacerdotem ipsum; quod si parochus in hoc partialis fuerit sit penes Ordinarium.

16. Parochus a conjugalibus æqualiter pro salarii annualis stipendio duos solidos Anglicanos exigat, qui de hac summa, aliorum parochorum præjudicio, aliquid remiserit ad decem solidos Anglicanos mulctetur.

17. Taxa ordinaria, pro celebrantis Missam labore, sit unus solidus, et qui plus vel minus exigat ab Ordinario puniatur.

18. Statuimus et ordinamus ut nullus audeat in impedimentis matrimonii dispensare virtute indulti alicujus aut privilegii nisi ejus auctoritas sit ab Ordinario approbata, et in hoc etiam actu includimus regulares sub pœna suspensionis ad arbitrium Ordinarii. Deinde præcipimus et stricte mandamus sub eadem pœna, ut nullus Parochus accipiat hujusmodi dispensationes, etiam a regularibus Societatis Jesu, absque ordinariorum respective licentia.

19. Statuimus et ordinamus ut nullus Ordinarius pro dimissorialibus aliquid recipiat, alioquin tanquam simoniacus a Metropolitano puniatur.

20. Statuimus et ordinamus ut nullus Ordinarius pecunias pro visitatione accipiat nisi actu visitet, quod si contrarium fecerit, puniatur juxta arbitrium Metropolitanæ.

21. Statuimus et ordinamus ut omnes juniores sacerdotes, qui a sexennio ordinati sunt, studia prosecui cogantur privatione beneficiorum si parochias habeant; concedimus iis licentiam substituendi alios sacerdotes ab ordinario approbatos, et ad quinquennium emolumentum quod paciscantur cum substituto, et quod Ordinario justum videbitur, annue accipiendi; et si nullas parochias habeant ab aliis adjuventur.

22. Recipimus et admittimus SS. Concil. Trident, in omnibus Diœcesibus, sicut hactenus receptum est.

23. Statuimus et ordinamus, ut nullus fiat de novo sacerdos, nisi attestetur Ordinarius se habere necessitatem dandi illi dimissoriales, et illum habere ad curam animarum sufficientem doctrinam.

24. Ut quicumque sacerdos assistet matrimonio sine tribus præviis denuntiationibus suspendatur et mulctetur ad arbitrium ordinarii, et ipse ordinarius dispensans sine causa mulctetur ad arbitrium Metropolitanæ.

25. Statuimus et ordinamus ut quarta pars funeralium cedat Ordinario, sicuti in concilio Provinciali sub illustrissimo Primate Edmundo O'Reilly numero 8<sup>o</sup> statutum est, quod legata vero pia cedant ei, cui determinate legata sunt: salvo jure Parochorum et

Ordinarii quoad quartam partem parochialem et episcopopalem juxta mentem concilii Tridentini Sess. 25, de Reform. cap. 13.

26. Statuimus et ordinamus ut omnes Parochi ante finem duorum mensium habeant exemplar horum actuum et aliorum actuum conciliorum provincialium, eosque quolibet mense legant, et in synodis diœcesanis publice perlegantur, ac insuper inter Missarum solemnia statuta populum concernentia, publicentur.

27. Statuimus et ordinamus, ut quilibet parochus in quacunque Diœcesi totius Provinciæ det Metropolitano pro una vice tantum (5s. 5d.) i.e. quinque solidos monetæ Anglicanæ.

28. Tandem accipimus *omnia Statuta acta Dublinii diebus 17, 18, et 20 Junii, 1670, ab Archiepiscopis et Episcopis Hiberniæ simul congregatis quorum primum est.*

1. Cum nobis relatum sit nonnulla laicorum defunctorum corpora in diversis regni partibus in habitu regularium palam exponi et supra mensam imponi, statuimus et ordinamus ut nullum laici corpus in posterum taliter exponatur.

2. Cum toti clero Hiberniæ necessarium sit, ut agentem et procuratorem in urbe habeant, ad varia negotia sollicitanda et expedienda, decernimus et ordinamus, ut solvant quinquaginta libros monetæ Anglicanæ equaliter dividendos per Metropolitanos inter quatuor provincias; cum autem nostra negotia nunc agat in urbe Reverendus Dominus Brenanus ab uno jam anno, prædictam summam annualem ei decernimus.

3. Ut nulli ritus publici aut quaestus inusitati in posterum indicantur inconsultis Ordinariis locorum et sine speciali licentia eorum.

4. Præcipimus abstinentiam a carnibus die Sancti Marci, sicuti triduo ante Ascensionem, nisi venerit in Dominica.

5. Decernimus, ut omnes parochi toto conatu procurent ut clamores et vociferationes fæminarum corpora defunctorum comitantium prorsus impediuntur.

6. Statuimus et ordinamus ut nullus regularium occupet aut detineat conventus aut monasteria aliorum ordinum regularium vel clericalium absque authentica Apostolica auctoritate et Ordinariorum consensu.

7. Statuimus nullos regulares in posterum publice ad altare mendicare nisi sit conventus, in quo quatuor sint, ex quibus duo sint sacerdotes ad minus: et facile non admittantur regulares ad quaestus publice faciendos, nisi fuerit sacerdos ad celebrandum populo propter levamen et solamen parochorum.

8. Statuimus ut nulli Fratrum Franciscanorum qui non obedierit intra 30 dies a data horum actuum notitia, suo superiori scilicet Revd. admodum P. Fr. Provinciali Generali, quem nobis constat esse legitimum Franciscanorum Provincialem, nullus Catholicus confiteatur, vel ejus sacrum audiat, nec eleemosynas ei publice petenti elargiatur post illos 30 dies.

9. Decernimus ut omnes Ordinarii in suis respective diœcesibus injungant parochis ac predicatoribus serio et sub interminatione divinæ vindictæ, monere populos sibi subditos, nullos favores aut auxilium præbere latronibus, aut viatorum grassatoribus vulgo *Tories* dictis.

10. Quoniam Apostolus præcipit, ut fiant obsecrationes et orationes pro omnibus hominibus, pro Regibus, et omnibus qui in sublimitate constituti sunt; parochi, etiamque regulares, in suis conventibus diebus Dominicis moneant populum, ut singuli Deum orent pro Serenissimis Carolo secundo et Catharina, Rege et Regina nostris, ut Deus eis omnem felicitatem et insuper prolem elargiri dignetur; item pro excellentissimo Prorege Hiberniæ, necnon pro felici Angliæ, Hiberniæ et Scotiæ regimine: et eadem intentione dicantur iisdem diebus Litanæ B. M. Virginis.

## CAPUT PRIMUM

### *de vita et honestate Clericorum.\**

1. Ut omnes Cleri in habitu et tonsura incedant sub pœnis contentis in Concilio Tridentino Sess. 14, Cap. 6, de reformatione.

2. Utantur collaribus more ecclesiastico factis, non vero his quæ vulgo vocantur *Cravats*.

3. Ut nulli sacerdotes aut clerici tabernas frequentent aut ingrediantur, nisi forte itinerando aut causa necessitatis, quod si tertio admoniti sese non abstinuerint ab hujusmodi frequentatione, suspendantur ab libitum ordinarii; eidem pœnæ subjaceat dator ad arbitrium Ordinarii: eidem quoque pœnæ subjaceat qui post ternam admonitionem de ebrietate vincitur.

4. Qui convictus fuerit de scandalis, rixis, aut contentionibus, cum laicis, aut aliis clericis aut alium percusserit, sive ebrius sive sobrius fuerit pœnis arbitrio ordinarii infligendis subjaceat.

## CAPUT SECUNDUM

### *de muniis Parochorum.*

1. Cum Parochi juxta SS. Concilium Tridentinum et constitutiones Apostolicas, et Provinciales sanctiones, teneantur diebus

\* It is difficult to ascertain the precise date of the following decrees. Dr. Renehan thought they were drawn up in a Provincial Synod of Armagh, held in 1687, and his view is supported by having that time fixed in the decrees themselves for their promulgation. They agree word for word sometimes with the Cavan Synod of the same year, see p. 160, and yet no reference is made in one to the other.

Dominicis et festis inter Missarum solemnia explicare populo divina eloquia, docendo necessaria ad salutem, virtutesque sacramentorum dum illa administrant, qui circa hæc negligens fuerit ad arbitrium Ordinarii suspendatur: ei vero qui insufficiens fuerit ad id munus exercendum juxta idem Concilium adjungat Ordinarius idoneum sacerdotem qui hoc munus tam necessarium adimpleat, illique congruam partem fructuum sive alimentorum Parochiæ assignet.

2. Ut nullus Sacerdos sive regularis sive secularis in eodem *die bis* celebret nisi habuerit duas ecclesias, (sine Ordinarii licentia in scriptis)\* sub pœna suspensionis incurrendæ.

3. Ut semel saltem in bimestri efficiant Parochi, ut purificatoria, alba, corporalia, amictus, et reliqua altaris linteamenta laventur sub pœna ab Ordinario infligenda.

4. Ut in quovis mense (octiduo)† consumant hostias consecratas quas pro moribundorum viatico asservant, et recentes conservent, pyxisque mundetur et quam reverentur fieri poterit reservetur bene clausa sub pœna Ordinarii arbitrio infligenda.

5. Sub eadem pœna teneantur Parochi indui alba et cingulo vel superpelliceo cum stola dum Sacramenta Baptismi, Eucharistiæ, Extremæ unctionis aut Matrimonii administrant.

6. Sub eadem pœna teneantur Parochi adhibere omnes ritus in rituali Romano expressos, ut ibidem exprimuntur, nisi necessitas excuset inter baptizandum.

7. Sub pœna suspensionis ad libitum Ordinarii infligenda teneantur Parochi tres libros vel unum tripartitum (habere) in quo scribant nomina baptizatorum, necnon parentum et patrinorum, diem, annum et locum Baptismi; item Confirmatorum, Defunctorum, necnon numerum familiarum aliarumque personarum in suis respective Parochiis degentium.

8. Cum circa festum Paschatis, omnes fideles in propriis Parochiis communicare teneantur; quilibet sacerdos deferat ordinario nomina eorum qui huicce præcepto non satisfecerint, ut juxta sacros canones puniantur; nec censeantur Confessionis præcepto satisfecisse nisi scedulam aut attestationem habeant sub manu alterius confessarii sive sacerdotis cui confessi sunt.

9. Inhibetur Parochis ne ullos publicos aut notorios peccatores, ut usurarios publicos, meretrices, grassatores viarum (aut fures)‡ ad communionem admittant nisi illis constiterit de eorum pœnitentia et firmo emendationis proposito.

10. Teneantur Parochi et divini verbi prædicatores serio admonere populos ne ullum subsidium aut favorem auxiliumve præbeant latronibus, viarum grassatoribus, aut aliis quietis publicæ perturbatoribus.

11. Distincte præcipitur Parochis et Curatis ut in visendis infir-

\* "*Sine Ordinarii licentia*—Omitted in Synod of Cavan—L. F. R.

† *Octiduo*.—Synod of Cavan. ‡ *Aut fures*.—Synod of Cavan.

mis, iisque exhortandis ad pœnitentiam, sint seduli; quod si Parochi negligentia ullus sine Sacramentis obierit, et de hoc convictus fuerit Parochus ab officio et beneficio suspendatur.

12. Ut Parochi idoneos sibi eligant clericos qui ipsis ministrantibus inservire valeant, quique parvulos Doctrinam Christianam et rudimenta fidei edocere possint.

## CAPUT TERTIUM

### *De Matrimonio.*

1<sup>o</sup>. Cum Juxta Concilium Tridentinum in hac provincia receptum, matrimonium sine assistentia proprii Parochi vel alterius de ejus licentia et duorum saltem testium sit irritum et nullum; statuitur, ut quicumque sacerdos sive secularis vel regularis præsumpserit assistere sine proprii Parochi licentia sit suspensus juxta canones.

2<sup>o</sup>. Parochus qui matrimonio jungere (assistere)\* præsumpserit sine tribus præviis denuntiationibus absque expressa Ordinarii licentia in scriptis, declaratur suspensus ad arbitrium Ordinarii.

3<sup>o</sup>. Mulier innupta quæ prolem pepererit pœnitentiam agat, et prolem illegitime susceptam suis expensis ad triennium alat.

4<sup>o</sup>. Sub obstestatione divina omnibus sacerdotibus præcipitur ne ad Missam aut ad alia sacramenta admittant mulierculas quæ profitentur artem medendæ sterilitatis (mediis quam turpissimis), nullasque tales præterquam in articulo mortis constitutas absolvant, nisi recipiscentes penitus abjiciant tam nefandam vivendi artem: divini quoque verbi prædicatoribus injungimus ut in tales satanæ medicas, quæ hominum simplicium animas perdunt, acriter invehant.

5<sup>o</sup>. Statuimus et ordinamus ut nullus audeat in impedimentis matrimonii dispensare virtute ullius indulti aut privilegii nisi auctoritas ab ordinario prius examinetur et approbetur sub pœna suspensionis ad arbitrium Ordinarii: eidem pœnæ subjaceant Parochi aut Curati istius modi dispensationes sine prævia Ordinarii notitia aut licentia, recipientes.

## CAPUT QUARTUM DE LEGATIS.

1. Ut evitetur omnis contestatio super piis Defunctorum legatis, sacerdotes sive regulares sive seculares moribundis assistentes illos admoneant, ut declarent nominatim et coram testibus, quibus personis sua legata relinquunt, an Clericis secularibus, an regularibus sub pœna carendi ea parte legati sibi relicta: sive titulo stipendii sive alio hujusmodi, sacerdotibus deberi prætendatur sive non.

\* *Assistere*—Syn. Cav.

2. Legata vero sine hac personarum specificatione relicta sub communi vocabulo ecclesiæ non nisi ab Ordinario distribuantur intra diœcesim quibus judicaverit expedire, attenta antiqua et laudabili consuetudine.

3. Contra quartam partem mortuorum sive Episcopalem, quam jure Episcopi vindicant, declaratur præscribi non posse; ideoque juxta Concilium Tridentin. Sess. 25, Cap. 13, et Statuta Provincialia sub Illustrissimo ac Reverendissimo Edmundo Armacano piæ memoriæ, renovata Clunisiæ sub Illustrissimo Olivero memorato, debere "solvi ordinario, et non solventes puniendos ad arbitrium ejusdem Ordinarii."

4. Sacerdotes vero morientes testari non possunt de sacris vestibus, altari portabili, missali, breviario, pixide, pro St. Eucharistia, aut aliis hujusmodi rebus, quæ de jure aut consuetudine cedunt parochiæ aut dispositioni Ordinarii: laici ea usurpantes excommunicantur.

## CAPUT QUINTUM

### *de Exequiis Defunctorum.*

1. Statuimus et ordinamus ut in exequiis defunctorum nullæ fiant computationes; utque aboleatur abusus maximus qui in hujusmodi exequiis fieri consueverit, nullatenus adhibeatur aqua stillata vulgo Whiskey aut Brandy (Uisque Beatha)\* dicta; et si contra hoc statutum hujusmodi liquore usi fuerint, careant in iisdem exequiis consortio et omni ministerio Clericorum.

2. Sub eadem pœna in vigiliis nocturnis hujusmodi exequiarum nulli admittantur lusus aut joci, quibus Deus offenditur et fideles scandalizantur.

3. Sub eadem pœna prohibentur clamores et vociferationes fœminarum comitantium corpora defunctorum.

4. Parochus qui hujusmodi abusibus reformandis at a sua parochia extirpendis negligens fuerit, ab officio et beneficio ad arbitrium ordinarii suspendatur.

5. Statuimus et ordinamus, ut qui (dum in vivis) specialem sibi non elegit sepulturam, extra Parochiam defunctus ad aliam exportari non possit sub pœna ab ordinario infligenda in extrahentes.

## CAPUT SEXTUM DE SUFFRAGIIS.

1. Statuitur ut si hujus Diœcesis sacerdos obierit, singuli sacerdotes pro animæ illius refrigerio tria sacra faciant, si autem Prelatus obierit, pro eo singuli sexies celebrent.

\* Uisque Beatha—Syn. Cav.

2. Stricte præcipitur universis Parochis et Curatis ut quotquot harum constitutionum plebem concernunt, semel in mense coram populo legere et explicare, donec ipsis perfecte innotescant, aut per se aut per alios non omittant, sub pœna ordinarii arbitrario infligenda; et ad hunc finem singuli teneantur harumce copiam habere apud se authenticatam a sua vicario Generali intra tres menses a die secunda Novembris, 1687, et in conferentiis mensalibus exhibendam ab unoquoque Parocho eorum Præfecto dictarum Conferentiarum et in iis publice legendam.

### CAPUT SEPTIMUM DE CONFERENTIIS.

1. Cum nihil magis conducat ad instructionem sacerdotum præsertim parochorum, (quoad casus conscientiæ) quam frequens inter et ipsos de iisdem conferentia, decernitur ut exceptis mensibus Novembris, Decembris et Januarii, singulis aliis mensibus per annum semel uniuscujusque Decanatus sacerdotes, in loco accomodo ab ordinario vel vicario Generali indicto, aut de ipsius approbatione a vicario Foraneo, deputando, conveniant.\*

2. Ut eorum unus per suas vices explicet vernaculo sermone partem aliquam Doctrinæ Christianæ modo quo populo exponi debet.

3. Ut materia Conferentiæ antea per Ordinarium aut Vicarium seu Præfectum assignata inter se conferant, eorum uno defendente, reliquis in ordine argumentantibus.

### CAPUT OCTAVUM.

#### *De Casibus Ordinario reservatis.*

Extra casus a jure Episcopis reservatos,

Procuratio abortus effectu secuto.

Levis percussio sacerdotis, gravis enim Papæ reservatur.

Communicatio cum excommunicatis in crimine criminoso.

### ACTA ET STATUTA CONCILII,

*provincialis Armacani sub Illustrissimo et Reverendissimo Olivero Plunket, Archiepiscopo Armacano et totius Hiberniæ Primæ habiti Clunesiæ die 22 August, 1670, necnon alia ejusdem Primatis decreta pro Diœcesi Kilmorensi, ac insuper Statuta Synodalia ejusdem Diœcesis sub Illustrissimo ac Reverendissimo Doctore*

\* Idque de mane ut in (præsentia) eorum unus coram reliquis sua vice celebret, notenturque per alios præsertim per Præfectum, vel unum ex magistris cæremoniarum defectus (si qui sint) in ritibus aut cæremoniis missæ.

† Sub moderamine ejusdam Præfecti Conferentiæ notet idem Præfectus stricte, qui bene respondeat, quive male—*Addita in Syn. Cavan.*



*Eugenio piæ memoriæ quondam Episcopo Kilmorensi nunc deum revisa et retracta, recepta Cavanæ in Capitulo seu Synodo Diæcesana die 7 Junii, 1687, sub Illustrissimo ac Reverendissimo Doctore Patritio Episcopo Clogherensi, Vicario Apostolico, Administratore Kilmorensi.*

## CAPUT I.

### *De vita et honestate Clericorum.*

1. Statuitur ut omnes Parochi domicilium fixum habeant sub pœna ordinarii arbitrio infligenda.

2. Ut sacerdotes non admittant ancillas nisi bonæ famæ de quibus nulla sit suspicio malæ conversationis; admitti possunt consanguineæ usque ad tertium et quartum gradum, at nulla decumbat aut dormiat in cubiculo sacerdotis.

3. Nullus sacerdos equitando retro se fæminam ducat sub pœna ordinarii arbitrio infligenda.

6.\* Quilibet sacerdos habeat suum proprium Confessarium specialiter designatum, cui semel saltem in quindecim diebus sua peccata confiteatur.

8. Nullus sacerdos propter debita ullum a divinis arceat, aut ei alias bene disposito sacramentum absolutionis deneget, absque expressa ordinarii licentia sub pœna ab ordinario infligenda.

## CAPUT SEXTUM.

### *de Suffragiis.*

1°. (Ut antea) p. 158.

2°. Quoniam Apostolus præcipit ut fiant obsecrationes et orationes pro omnibus, præsertim pro Regibus aliisque in sublimitate constitutis, parochi atque etiam regulares moneant populos, ut devote orent Deum, pro Serenissimo Jacobo Secundo et Maria, Rege et Regina nostris, ut Deus Opt. Max. diuturnam eis incolumitatem et insuper prolem masculum largiri dignetur: itemque pro Regina Catharina, et pro Excellentissimo Domino Richardo Prorege Hiberniæ, et pro felici statu universi suæ majestatis dominii; et ad hunc finem et intentionem singulis saltem festivis diebus, et Dominicis

\* Nota—Canons 4, 5, and 7 of this chapter correspond even verbally with the 1st, 2nd, and 3rd canons of the first chapter of the Statutes before given in page 155 of this volume. Also the cap. 2, 3, 4, 5, and 7 entirely and literally correspond, except in the few passages there marked in the notes. So also does cap. 6, except that in this council between the first and last canon is inserted another —L. F. R.

recitentur ab iisdem Parochis, aliisque sacerdotibus, Litanie B. M. Virginis, ante vel post missam.

3<sup>o</sup>. Strictæ et cætera, ut antea, p. 159.

## CAPUT OCTAVUM.

### *De Casibus Ordinario reservatis.*

1<sup>o</sup>. Ultra casus a jure reservatos. Primus sit procuratio abortus. 2. Oppressio infantium. 3. Incestus. 4. Peccatum contra naturam. 5. Sortilegium, seu divinatio per invocationem Dæmonis manifestam, hoc est, signis per aliquem habentem pactum cum Dæmone. 6. Malitiosa fascinatio frugum, vitæ hominum, vel brutorum. 7. Peccatum falsitatis, quo crimine vitiantes literas vel scripturas intelliguntur; testis item falsus, nedum deponens, sed et occultans veritatem si juridice de ea interrogetur, et testis recipiens pecunias ne ferat testimonium, aut ferat falsum. Sed minus licet defraudatio Gabellarum, aut tributorum regionum, ne servari non possit,\* cum annexam habet obligationem restitutionis. Occulati tamen sint sacerdotes et valde circumspecti circa istiusmodi peccati absolutionem, quam non impendent nisi facta vel promissa restitutione.

*Reverendi Domini, Carissimi Confratres, Parochi et Curati  
Diœcesis Killmorensis.*

Acta Provincialia hujus Provinciæ Armacanæ lecta per nos, et publicata in ultimo Capitulo, seu Synodo Diœcesana habita Cavanie die 7 Junii, 1687, in formam deducta commodiorem, adaptavimus prædictæ nostræ Diœcesi, additis quibusdam ex sacro Concilio Tridentino et Canonibus ecclesiæ, ad quæ alias tenebamini. Pauca sunt sed necessaria, ut Clerici et Laici contineantur in suis respectivis officiis, et disciplina ista ecclesiastica servetur, quam sicut nos promovere et tueri, ita et vos observare et populum vobis commissum docere oportet; ad hunc finem illa ad vos dirigimus, illorumque observantiam serio commendavimus: nec fallat spes clementiæ aut remissionis nostræ, si contra feceritis, nam auctore Domino illa observari faciemus per nos, nostrumque vicarium, indispensabiliter applicando poenas in illis contentas eorum transgressoribus.

Valete, nostri in orationibus memores.

Datum apud Ballybrough. 12 die Novembris, 1687.

(\* Quæ retineri non possunt cum annexam habent obligationem restitutionis?)

[The copyist writes himself—per Joannem N., Augusti 12, 1750; and on the title page states that he took the copy—"In usum Illustrissimi ac Reverendissimi D. Danielis Episcopi Clogherensis." A literal translation of the most interesting part of these decrees is given in the Appendix.]

## ARCHBISHOPS OF DUBLIN.

### GEORGE BROWN.

[THOUGH no regular biographical notice of this remarkable man is found in these memoirs, the chief events of his life may be gathered from the history of his contemporaries, given in them. George Brown was first educated in Oxford under the care of the Augustinians, whose institute he embraced. Passing thence to a foreign university, he was admitted to the degree of Doctor of Divinity, and after returning home made Provincial of his own order in England. His ability and pliant disposition soon won the esteem of Henry VIII., who raised him to the dignity of Archbishop of Dublin in March, 1535.\* Brown's first and greatest service in his new office was to propose to the Irish Parliament (May, 1536) that the "King was supreme over ecclesiastical matters, as well spiritual as temporal, and Head of the Church, even of both isles, England and Ireland." The law of "Attainder and First Fruits" was also passed in the same session with his warm approval. Still these efforts did not answer all the king's expectations: he looked for even more zeal and devotion to his cause in one who was so much indebted to himself, and he warned the Archbishop in the next year to bear in mind, "*That we be as able to remove you agayn, and to put another man of more vertue and honestie in your place, as we were at the beginning to preferre you upon hope that you would in the same do your office.*"† His abject reply to this menace, and the other letters contained in the following extracts, are the only record‡ left us of Brown's life, and the best evidence of his unscrupulous career until the death of his master. After the accession of Edward, when a royal edict was issued commanding the new English liturgy to be used in the Irish churches, the archbishop of Dublin was the first to submit,

\* Wood's Athenæ Oxon. by Bliss. vol. ii. p. 759. Elsius, p. 235.

† See letters.

‡ These extracts were collected by Dr. Renahan under the title of "George Brown and his Times." They give a very different view of his character and motives from that presented to us in the unbounded panegyric of Usher, Ware, and Harris.

and to order the English service to be read in his own presence in Christ Church Cathedral on Easter Sunday, 1551. He thought thus to gain by his servility greater favour at court, and to procure for himself the title of Primate, hitherto annexed to the see of Armagh.

This was indeed the great object of his ambition, as he was the richest, to be also the highest dignitary in the Church of Ireland. But one means was left to effect his purpose, namely, the banishment of Dowdall, Archbishop of Armagh, and annexing his title to the see of Dublin. We have seen (p. 7) how far this scheme succeeded, and how Brown received letters patent, dated the 20th Oct., that he and his successors should be primates "because he was the first of the Irish Bishops who embraced the English Liturgy and Reformation in Ireland."\* But he did not enjoy the coveted privilege long. Dowdall was again restored to his see and title in 1554, and Brown justly deprived of those honours for which he made so many sacrifices.

Neither Ware nor Harris has left any account of the time or manner of his death. "What became of him afterwards (after being deprived of the archbishopric under Queen Mary)," writes Wood,† "I know not, nor when he died." But enough is known of his history: an unhappy notoriety attaches to the name of Brown, the first bishop or priest who apostatized in Ireland.]

#### "GEORGE BROWN AND HIS TIMES."

##### CXXV. BRABAZON TO CRUMWELL†—17 May, 1536.

"PLEASITH it your honourable Maistership to be advertised, that thiez Actes subsequent be passed the Comen House; the Act of Atteyder; the Act of the Kinges Succession; thAct of the First Fruites; thAct of the Supreme Hed; thAct of Sclaunder; thAct of Appelles; an Act of the Landes of the Duke of Norfolk, my Lord of Wilsshire, my Lord of Shrowesbury, and other, with the possessions, aswell of the spiritualtiez as the temporaltiez of suche religious housez in Englonde, as had eny possessions, tithez, or other hereditamentes here; the Repelyng of Ponynges Act; an Act for the Erle of Ossery. The *Proctours of the Spiritueltie sumwhat doo stick, in diverz of thiez Actes; and lothe thei ar, that the Kinges Grace shuld be the Supreme Hed of the Church.*"

##### CLXVIII. GRAY AND BRABAZON TO CRUMWELL.§—18 May, 1537.

....."But considering bothe thobstinacie of the Spiritualitie used in this cession, and having remembred, if the Kinges Highnes wold send eny Comissioner hither, we thought it good to have the Parliament open at his comyng, to thintent that the wilfulness of the Spiritualitie being refrayned, thinges for the Kinges honour and profight, and the comon weale of this

\* Harris (Ware's Bishops), p. 351.

† Athenæ, Oxon. vol. ii. p. 759,

‡ State Papers—Henry VIII.—vol. ii. p. 315.

§ Ibid. p. 437 38.

land, nowe by them denied to be graunted, may then passe accordingly. The frowardnes and obstynacye of the Proctours of the Clergy, from the begynnyng of this Parliament, and at this cession, bothe of them the Bishops and Abbotis, hathe bene soche, that we thinke we can no les do then advertise your Lordship thereof. After thassembly of the Parliament, at this cession, some billis were passed the Comon House, and by the Speker delyvered to the Highe House, to be debated there. • The spirituall lordes therupon made a generall aunswere, that thei wold not comon, ne debate, upon eny bill, till they knewe whether ther Proctours in the Convocation House had a voice or not."

..... "The bill of the 20ti parte of the spiritualitie (whereunto at th[eir] cession thei assented) and divers others, being passed the Comen House, and presented by the Speker according the said determinacion, in thende the spirituall lordes in the High House, conspiring to githers, donied to assent to eny of the same; making r[esolute] answere, first to the Lorde Chaunceler, and aftir to us, in Parliament, that thei wold not aggre to the passing of [the said] Acte. Wherupon, considering ther obstynacy, we thought [it] good to proroge the Parliament for this tyme; and again[st the next] cession provide a remedie for them. And therfor, my Lord, [it were] well doon, that some mean be devised, wherby thei ma[y be] broute to remember ther duties bettir. Kxcepte the me[ane] may be found that theis Proctours may be put from voice [in the] Parliament, ther shall but feue thinges passe for the Kinges prof[ight.] For hitherto, synes this Parliament, have they shewid themsilfes in nothing conformable. We thinke that no reasonable man wold judge them to have soche a preemynence in a Parliament, that though the King, the Lordes, and Comens, assent to an Acte, the Proctours in the Convocation House (though thei were but 7 or 8 in number, as sometyme thei bene here no more) shall stay the same at ther pleasur, be the matter never so good, honeste, and reasonable. But it dothe well appere that [it is] a crafty cast, divided betwixt ther masters the Bishoppes, and them. It is good that we have against the next c[ession] a declaration from thens, undre the Kinges Great Seal of Ingland, of this question, whether the Proctours h[ave a voice] in the Parliament or not? and that every Acte, passed [without] ther assentes, is neverthles good and effectuall."

CLXXIV. KING HENRY VIII. TO ARCHBISHOP BROWN.\*—7 July, 1537.

*To the Archebishop of Dublyn.*

"RIGHT Reverend Fader in God, trusty and welbiloved. We grete you well. Signifieng unto you, that wheras, bifore your promotion and advauncement to that ordre, dignite, and auctoritie of an Archebishop, ye shewed an appearance of suche entiere zeale and affection, aswell to the setting furth and preaching the syncere Worde of God, and avoydyng of all superstition used agenst the honour of the same, as to employe your self alwayes diligently for your part to procure the good furtherance of any our affaires, asmoche as in you laye, and myght appere to be to our contentement and satisfaction, that thinking your mynde to be so earnestly fixed upon the same, that ye wold persevere and contynue still in that your good purpose; yet nevertheless, as We doo both partely perceyve, and partely by sundry advertisementes and wayes be

\* State Papers, vol. ii. p. 465.

enfourmed, the good opinion that We had conceyved of you is, in manner utterly frustrate. For neyther doo ye geve your self to the instruction of our people there in the Worde of God, ne frame yourself to stande Us in any stede for the furtherance of our affaires; such is your lightnes in behaviour, and suche is the elation of your mynde in pride, that glorieng in follishe ceremonies, and *deliting in We and Us, in your dreame comparing yourself soe nere to a prince in honour and estimation, that all vertue and honeste is almost banished from you.* Reforme yourself, therefore with this gentle advertisement; and doo furst your duetie towards God in the due execution of your office; doo then your duetie towards Us, in thadvancement of our affaires there, and in the signification hither, from tyme to tyme, of thestate of the same; and We shall put your former negligence in oblivion. Yf this wil not serve to induce you to it, but that ye will styll so persevere in your fonnde folly and ingrate ungentilnes, that ye can not remembre what We have don, and howe moche above many others ye be bounde, in all the pointes bifore touched, to do your duetie, lett it synke into your remembraunce, *thot We be as hable, for the not doing therof, to remove you agayn, and to put on other man of more vertue and honestie in your place, both for our discharge agenst God, and for the comfort of our good subjectes ther, as We were at the begynnynge to preferre you, upon hope that you wolde in the same doo your office, as to your profession, and our opinion conceyved of you, apparteyneth.*"\*

## CLXXXVI. ARCHBISHOP BROWN TO KING HENRY VIII.\*—27 Sept. 1537.

"MAY it please Your moste Excellent Highnes to be advertized, that the 11th day of September I receyved your mooste gracious letters, bering date at Your Majesties maner of Sonnynghill the laste daye of July; which perused ded not onlie cause me to take fructefull and gracious monicions, but also made me to trymble in body for feare of incurging Your Majesties displeasures. And where Your Majestie writith unto me, I have not indeavored my self in setting forth and preaching the sincere Worde of God, advoiding all supersticion uside ayenste thoner of the same, I may signifie unto Your Highnes, of veritie, that for my small abode here, there hath not theis many yeres any my predecessors soo mych exercised in declaring to the people thonlie Gospell of Christe, perswading and inducyng the hirers unto the trew menyng of the same, utterly dispisyng the usurped poure of the Bussshop of Rome, being a thing not a litle roated a monges thinhabitantes here.

... "Finally certifying Your Majestie that I receyved Your Graces other letters, at this season to me addressid, in behalff of Edward Vaughan, the Quenes Graces servante, the contentes wherof I have fully accomplished. Beseching Your Highnes, of Your moste accustomed goodnes, to accepte this my rewde letter; *aunsverable, even as I were personally doing my dutie,*

[\* The Editors of the *State Papers* tell us that a letter, similar in many respects, was addressed at the same time to Staples of Meath. The King reminds him of his being promoted to that see on account of his zeal in preaching the Word of God, and reproaches him with neglect in discharging his duty, for which he (the King) shall devise a proper remedy. What glorious liberty did not these Bishops enjoy during the progress of the Reformation?]

† State Papers, vol. ii. p. 512.

*proching on knes before Your Majestie; declaring the certentie of all the premisses with knowleging my ignorancies, desiering of God, that hower or monyte I should prefix my self to declare the Gospell of Christe after any other soarte, then of my parte moste unworthy have heretofore don before Your Majestie, in rebewking the the papisticall poure, or in any other poynte concernyng the advauncement of Your Graces affaires shuld-not be prompte to set forthe beninglie, that the grownde shulde open and swallow me."*

CXCVII. ARCHBISHOP BROWN TO CRUMWELL.\*—8 Jan. 1538.

"RIGHT honorable and my syngular good Lorde, my bounden dutie premysed. It may please your Lordeship to be advertised, that within the parties of Irelande, which grevith me very soare, ye, and that within the dioces of Dublin, and province of the same, where the Kinges poure ought to be best knowne, where it hath pleased His moste excellent Highnes, thorough your good Lordeshipes preferment, to make me, under His Grace, a spirituall officer, and cheef over the clergie; yet, that withstanding, neither by gentill exhortacion, evangelicall instruccion, neither by oathes of theym solempnie taken, nor yeate by treates of sharpe correccion, can I perswade or induce onye, either religious or secular, sithens my commyng over, ons to preache the Worde of God, or the juste title of Our moste illustrious Prince. And yet, before that Our moste dreade Soverayne was declared to be (as he ever was in deade) Supreme Hed over the Church commytted unto his Princelye cure, they that then coulde and wolde, very often even till the right Christians were wery of theym, preache after tholde soarte and facion, will now not ons open their lippes in any poulpett, for the manifestation of the same, but in cornars, and souch company as theym liketh, they can full earnestlie utter their opynions; and somotche as in theym lyeth, hyndereth and plokith backe amonges the people the labor that I do take in that behalff. And yet they be borne ayenste me, and especiallie the Observauntes, which be worste of all others; for I can neither make theym swere, ne yet preache amonges us; so little regarde they myn auctoritie. And that commyth, so ferr as I can judge, of the extreme handeling that my Lorde Deputie hath usid towards me, whate by often enprisonment, and also expellyng me myn owne howse, keping there no hospitalitie at all. And so contemptuouslie he vilipendeth me, that I take God to recorde, I had, but that hoape comforteth me, rather forsake all, then to abide so many ignominious reproaches. But if your Lordeshipe wolde, for the good love and mynde that you bere unto the mere and sincere doctryne of Godes Worde, and also unto the advauncement and setting forthwarde of Our moste excellent Princes right title, sende either unto Maister Theausorer, the Chief Justice, the Maister of the Rolles, or any too of theym, *whome I thinke meate for that purpose, sotch a straitte commaundment over me, and all other ecclesiastical parsons as I perseyve the Kings Grace hath sent of late in to Inglande to the shereves of every shere*; I wolde (God willing) so exequite myn owne office, and pricke other forthwardes, that ben under neth me, by thauctoritie theirof, that His Grace and your Lordeschip shulde well allowe my faithfull harte and diligent service. For untill that souche a thing, or more vehement, com amonges us, it is but vayne to loke after any amendyment here, but alwaies expectacion of

\* State Papers, Vol. ii. p. 539.

the former abuses. And to proave the same, there is never a Archbushop, ne Busshop, but my self, made by the King, but he is repelled, even now, by provision. Agayne, for all that ever I coulede doo, mought I not make theym ons, but as I sende myne owne serrauntes to do it, to cancell out of the canon of the Masse, or other bookes, the name of the Busshop of Rome; whereby your Lordeschip, may perceyve that myn auctoritie is little regarded. I have advertized your Lordeschip, dyvers tymes, whate inconvenience mought fall for lake of dispensacions; for, in that poynte, they be compelled to sew to Rome. Wherefore I think good, that, with all celeritie and spede, it were necessary that we had dispensacions, a Vicar Generall, and a Maister of the Faculties. There is of late comen in to Ireland from Rome a pardon, motche consonate to a pardon graunted by Julious the Seconde, in tyme of the warres bytwene the Frenche King and hym; and that was, that they that wolde enyoie it, shulde faste Wensday, Friday, and Saturday next after they hard furste of it, and on the Sonday consequentlie ensuyng to receyve the Communion. And many, as it is reaported, hath receyved the same. But if so traditorous a facte, and like flagicious iniquities, shulde passe, neither justelie examyned nor condinglie ponysshed, being commyttyd while the Kinges Graces High Commyssioners ben here, seing theise men so redy and prompte to admyt the Busshop of Romes letters, and so sturdie and flynthie ayenste our Prynces poure; whate will men thinke? I cannot in my conscience, considering myn othe and allegiance, let souche enormities escape, but make juste relacion, that the Kinges Majestie may have sure knowledge how unfaithfull a soarte he hath in this lande; and namelie the Spiritualltie, which seducith the reste. The Lying God knowth my harte, who ever prosper your Lordeschip with immortall felicitie. Amen. From the Kinges cite of Dublin, the 8th Day of January.\*

“Your Lordeschipes at commandement,

(Signed) “GEORGE DUBLIN.

(Superscribed)

“To the Right Honorable and his most especiall Good Lorde, the Loarde Prevaie Seale, be theis letters delывered.”

CCXVII. THOMAS AGARD TO CRUMWELL.†—5 May, 1538.

“My moste bounde dewttye to your honorable Lordshipe remembred. It maie please the same to be advertyzid, that of all the affayris in thes partyes, as well the estate and demeanour of perssouns, as of the estate of the cuntrey, Robert Cowley dothe advertize your good Lordschipe, which undowbtyd can do it soo well as enye on man in this lande. And syns his departure, here is noo newes, nothir bysynes, but all aftyr on rate; soo that here as yett the blude of Criste, is cleane blottyd owte of all mens hertes, what with that monstyr, that Byschope of Roome, and his adherenttes, in especchiall the false and craftye bludsukkers, the Observauntes, as they wilbe callid moste hollyeste soo that ther remaynz more vretu in on of ther coottes and knottyd gyrdylles, then ever was in Criste, and his Paschion. It is herde, my good Lorde, for enye poore man to speyke agaynste ther abussyons here; for excepte it be the

\* I doubt not this letter was written in order to be shown to the King by Crumwell, in order to reconcile him to Brown.—L. F. R.

† State Papers, vol. ii. p. 569.



Archebyschope of Dublyn, whiche dothe here in preching sett forthe Godes Worde, with dew obedience to ther Prynce, and my good Lorde Butler, the Master of the Rolles, Mr. Thezaurer, and on or 2 mow, *which are of a smalle repytachons here is ellys noon, from the hyste maye abyde the herying of hitt, spirituell, as they call them, nor temperall; and in espechiall, they that here rewle all, that be the temperall laweers, whiche have the Kynges fee.*"

CCXIX. ARCHBISHOP BROWN TO J. ALLEN\*—15 April, 1538.

"MAISTER Allen, I commend me unto you. Even desiering the Almyghtie to ferther you in your busynes, and to sende you and your company home with all successe and materitie. To certify you of newes here, with us, they be so good, that I am loathe to write theym, and I am seure ye wilbe as wery reade theym. All thinges ronith at ryott with us, sithens the Commissioners ande you departed. I thinke you have not, no more I truste the Commissioners hath, commytted to oblivion thoccase of myn aunswer unto the Bussshop of Mythe,† when I preachid at Christes Church the 4th Sondag in Lent. He *hath not onlie, sithens that tyme, by penne (as you knowe his wante full well) rayled and raged ayenste me, calling me heritike and beggar, with other rabulouse revilinges, as I have written unto my Lorde, which I am ashamed to reherse*; but also on Palme Sondag, at after none, in Kilmaynam, where the stacions, and also pardons, ben now as bremely usid as ever they were. Yet cannot I helpe it, bycause the place is exempte; but I truste it is not so exempte, but that the Kinges commaundement myght take place. There, as ye knowe, he is highly bolstered. He made a sermon, which in deade he is not to be blamed for any new doctryne that was in yt, for the sermonde was made many yeres agon in a boke intituled "Tresdecim Sermones." After that he had absolved his sermon, besides certain chekes therein conteyned ayenste me, yet he, standing still in the poulpet, desiring the auditori of pacience to harken a fewe wordes moo; and therewith plucked out of his bosom a letter, the which, though it were not trew, he appertely assevered to be sent hym from Dublin, from a servante of his that harde me preache, comprehending certain poyntes of my sermon, inveyhed ayenste hym. The truthe is, Humfray, of Saynte Patrikes, wrote the letter, signyfying unto hym ferr otherwise then I spake. Nevertheles he made there, at his pleasure, a comment on the saide letter, without all honest shame, even before myn owne face, present at his sermon, with souch a stomake, as I thinke the three mouthed Cerberous of Hell coulde not have uttered it more viperiously. And all this he doith, to elevate the auctoritie commytted unto me by my Prince, and to plocke away the credence of the people from me, whereby I shall neither edifye unto God, nor yet to my Prynce. He gloasid every sentence after souch an opprobrious facion, that every honest care glowed to hire it. He exhorted them all, yea, *and so motche in hym lay he adjured theym, to geve no credence unto me what so ever I saide, for afore God he wolde not.*"

CCXXII. BRABAZON TO CRUMWELL‡—30 April, 1538.

... "Here haith bene sermondes made by thArchebyssshop of Dublin and the Bisshop of Meth, who have set forward the Word of God; but after their

\* State Paters, vol. iii. p. 1.

† Edward Staples, Bishop of Meath.

‡ State Papers, vol. iii. p. 5.

prechinges, the oon haith taunted thother with a litle collacion. It is requesite, that your Lordship write to my Lord of Dublin to take sum order for the Observaunt Freers here. I am well assured that he favoreth them not, but wolbe right glad to see a bettir order amongst them."

CCXXXIII. ARCHBISHOP BROWN TO CRUMWELL\*—8 May, 1538.

"RYGHT Honorable, mye bounden duti evermore premised. It maye please you, att thys present, to be advertised, that on the ferst Sondaye yn Maye, beyng with us the Translation off Saint Owen, yn whose chirche a Prebendarye off Saint Patrickes, named Humfrey, off whose nature and condicyons I have partlye declared unto your Lordship heretofore, the very occasioner and author off the vilipension and comtempt that I am yn, beside discorde and debate sowen betwyxt me and mye frendes; thys man synging Hyghe Masse as that daye, because that he ys there parson, att the tyme whan that the beades ys customablye redd, after the forme and maner as I have devysed, and sett them forthe for all curates; he hym selff thowght scorne to reade them. Wherfor hys paryshe preiste, accordyng unto hys othe, went up yn to the pulpitt, and there began to reade them unto the people. He hadd unnethes redd a 3 or 4 lynes, butt the parson began the preface, and the quyer sange, yn so moche that the beades were unbidden. And certeyne off the parish presented it unto me. Then I considered thys man, fyrst how that he didd hym selff stycke to swere unto the Kyng, and also moved other the same; seing hym also contemyng myne articles, devised for the forderance off Goddes Word, and the advancement off our Sovereynes title off Supremacye, beinge one off mye cheff chirche, promoted also withyn the cytye so nere hand me; I *could no lesse do, but committed hym unto ward, tyll I here forder off the Kynges pleasure.* They be, in manner, all att the same poynt with me. There is an 28 off them, and emongst them all there ys nott 3 lerned off them, nor yet scarce one that favoreth Goddes Worde. Your Lordship myght doo a goode deale to have a litle thyng putt yn practise withe them, and that ys (de non idoneis removendis); eles itt ys but vayne for me, or onye other, to take paynes yn our Princes causes. On the fyrst daye off thys terme ther was a letter browght unto me, intercipate, whiche sholde have ben conveyed from the Father off Trym unto an other off the same coote, whiche I have sent unto your Lordship, wheryn yow may perceyve ther towardnes, and yett greate men yn these parties maye evyll spare them, for ther auricular confessyon; for they may be bold to utter unto them treason and other. Yff they lacked them, I suppose they shold lack moch boldnes to do evyll. Where they rule, Godd and the Kyng cannott justlye reign. As knoweth Godd, unto Whome I committ your Lordship perpetually.

"Yower Lordeschepes,

(Signed) "GEORGE DUBLIN". In haste.

(Superscribed)

"To the Right Honorable, and my singular good Lord,  
my Lord Privat Seall."

\* State Papers, vol. iii. pp. 6, 7.

† Scarcely.

## CCXXV. ARCHBISHOP BROWN TO CRUMWELL.\*—20 May, 1538.

"MY bonden duti premysed. It may please Your Lordship to be advertised, that yn myc last letter, directed unto your Lordship, I signified unto the same, that for hys pervicacyte and negligens, *I committed one Humfrey, a prebendarye off Sanct Patricks, unto ward, tyll tyme that I knew ferder the Kynges pleasour yn correctyng off soche obstinate and sturdye papistes*; thynkyng that yn so doying I shold have ben ayded and assisted off by Lord Deputi and the Consell. Howbeyt, spyte off my berde, yea, and to mye greate rebuke, whiles that I was att an howse off Observantes, to swere them, and also to extincte that name, namyng them Conventualles, mye Lord Deputie hath sett hym att lybertye. (So doyth hys Lordship ayde me yn mye Princes causes.) I thyncke the symplest holy water clerke ys better esteemed, than I am. I beseche your Lordship, yn the waye off charite, other cause mye authoryte to take effecte, or els lett me returne home agayne unto the cloyster. When that I was att the worst, I was yn better case, then I am now, what wyth my Lord Deputi, the Bisshop of Methe, and the pecuniose Prior of Kylmaynam. Godd send remedye, who ever have your Lordsip yn Hys saffe tuytion. Att Dublyn, 20 off May.

"Your Lordship may geve creditt unto thys berer, for he ys my chaplayne I have committed now off late yn to warde the Besshop off Mithes suffragand, whiche, yn hys sermon, prayed fyrst for the Bisshop of Rome, then for the Emperore, and att last for the Kinges Grace, saying; 'I praye Godd he never depart thys world, untill that he hathe made amendes.' What shall a man thyncke be the Bisshop, that hathe soche a suffragand? Howbeyt, I doubt nott but that he shalbe discharged; aske, and nocht beleve.

(Signed)

"GEORGIUS DUBLIN.

(Superscribed.)

"To the Right Honorable, and mye most synguler goode Lorde, the Lorde Private Seale."

## CCXXXIII. BISHOP STAPLES TO SENTLEGER, OR MOYLE.†—17 June, 1538.

"AFTER moste herte recommendation. Unto this day I hav not receyved any writynge from you. I have writen unto you, by John Plunkett, much of my truble by the Bishop of Dublynge, and the occasion of the same. He hath maad Maister Tresorer hys freend, and the Maister of the Roolles; how, I kno nott; and now bostyth hyme self to ruell al the clergy under our Soveran Lord, and he hath gyvyne a tast of his good demeanour, that every honest man is not only wery their off, *but rekenyth that pryd and arrogance hath ravishyd hyme from the ryght remembrance of hyme self*. I dought not, but ye shal heer of others the specyaltes, at large, of such as be indifferent, for suerly he hath handlyd me, and my poor frendes for my saak, most cruelly, so feer as he myght. And he hath goten on Silvester jonyd with hyme, as he sayth in, our Maisters auctoritie; God knyoth a man of what gravite. The comyn voyce goyth, that he doth abhoor the Mayss. It weer wel don my Lord Privy Seall wold of hys goodness apoynt sum inquisition secrett of trunth of their demeanour and discretyon, or hys Lordship put theym in such auctoritie.

\* State Papers, vol. iii. p. 8.

† Ibid. vol. iii. p. 29

"Over this, myn adviss shalbe, that Hys Lordship apoynt sum means how that such Bishops, as had their bulles of the Bishop of Rome, by our Soveran Lordes commandement, may brynge in their bulles, cancellynge the same, and to hav sum remembrance from Hys Hyghness, which shal stand theym in lyek effect with the same.

"*Item, because in the Iryshry the commyn voyce runyih that the Supremacy of our Soveran Lord is meantenyd only by power, and not reysoned by lernynge*; It shalbe wel don that hys gracyous causse be disputyd openly by hus, and that self conduct be gyvyn to all clerkes Irish, to cum and disput and rayson at lyberte, and to retorne self with owt damage, and to have proclamation maad at Dundalk, for the North, agenst a certain day, and an other liek at Kylkenny, for all thos bordereeres, agenst an other day; an then I trust ye shal here I shal do my Maister good servyce, with owt raylynge or frasyng, which doth weell nowhere, but lest in a good causse. It may pleass you remember the instructions that I wrott concernynge thys contre by your commaundemente, and specyally to hav our Maister recognisyd Kyng of Irlond, and dowght not, in short tyme, to have all Irlond then sworne to deu obedyence; the laak wherof, in myn opynion, doth much hynder their duties to be don, as I shoed you at large, at your beinge heer; and now all they doo is for feer, and ye know that is but an keeper of contynuaunce.

"In my laat scean thys Whittsontyd, I dyd seett forward my Maisteres causse after such maner, as I daar boldly say it waas not don hytherto in Yrlond, befor the honorable audience of all my diocess, and browght my bookes with me, of such as weer addict to the bishops of Rome, whyeh be force of truth weer constrenyd to writ suffycient mater to improv the usurped auctoryte of the Bishops of Rome many yeres past, and offeryd to answer who so ever wold disput in my Maisters causse. And what kan I do more? Hertofor I hav offeryd, my body and al that I had, to jeperdy for hys saak, and now I am very sykly, and not able to jorney as I hav don, but yett, what I may, I wyl do, both nyght and day, duerynge my liff. And if Hys Grace wyl hav me to ryde much to Parlementes, and Hys Graces other affares, as I hav usyd, I besech you, because of my stranguillyon, gett me lycence to ryd apon a pyllion, or elles I must ryd in a lyter. My diseass is worss then ever it waas. I pray you most hertely recommede me to good Maister Moyal, and if ye both kan preserve the poor sooll from the purgatory of the Byshop of Dublyne, I wyl gyve every of you on Meas peny. Alas poor sooll! Written in hast, 17 Junij. I pray you you gyve credence to Maister Stephens, of the tryumphynge of the Bishop of Dublygne. I assuer you we lak no p. nor p.

"Your own most bonden,

(Signed) "EWD: MIDEN;

(Superscribed)

"To the Right Honorable and my especyal Frend, Maister Saynct Legier, and, in his absence, to Maister Moyll."

## CCXXXVI. ARCHBISHOP BROWN TO CRUMWELL.\*—20 June, 1538.

"My bonnden dutie unto Your honerable Lordeschip premysid. Theise shalbe to advertise you, for that I endeavor my selff, and also cause others of my clergie, to preache the Gospell of Christe, and to set forthe the Kinges causes, there goithe a commen brewte amonges the Yrish men, that I intende to ploke downe Our Lady of Tryme, with other places of pilgramages, as the Holy Crosse and souch like ; *which in deade I never attempted, although my conscience wolde right well serve me to oppresse soache ydolles.* But undoubted they be the adversaries of Godes Worde, which have kendeled the same, thinking it will be to my reproche, that I pray God amende theym ; fearing, that all those of this countrey, being now there, whiche fayne themselves outwardely to be the mayntayners of the Gospell, it is not inwardely conseyyed in theire hartes ; which apperith very well by a letter of late sent to the Busshop of Mithe, that I pray God dissimulation may ons be roated out ; whiche I feare will be very harde to doo."

## CCXLI. R. COWLEY TO CRUMWELL.†—19 July, 1538.

"SORY I am to here suche abuses ; praying God that the employment of the Kinges thesaure exhaustid, and all His Graces revenues in Irland ; doo not worke to the confucion of the Kinges true subgiets, and the exalting and strenghting of the Geraldynes, and their secte, with other the Kinges rebelles and traitoures.

"More sory I am to here how the papisticall secte sprynge upp and sprede abroad, infecting the land pestyferously by default of attolleraunce, by reason that where the Kinges Majestie preferred oon Doctour Nangle to the Bisshoppricke of Clonefert, oon Rowland Burke purchasid bulles from the Bisshop of Rome, wherby he expulsid the Kinges presentee. Wheruppon, as I herd say, the Kinges Highnes wrote to the Lorde Deputie to prosecute the provisor, and to see the Kinges presentee restored to his possession. Noo thing was executid of the Kinges pleasure in that behalf, wherby general recourse is daily to Rome by religeous men of Irish nacion, and papisticalles ; soo that where, in tyme past, they repayed to the Kinges Highnes, to opteyn His Graces denominacion, they goo now immediately to Rome, and optaine whate they pursue, *soo that there be now lately 5 Bisshoppis in Irland by the Bishop of Romes auctoritie, besides Abbottes and Priors. And never so mouche suyte from Irland as nowe to Rome, all by permyssion and sufferance without any prosecuting.*"

## CCXLVI. ARCHBISHOP BROWN TO CRUMWELL.‡—10 Aug. 1538.

"RIGHT Honorable, my duetie premisid. It may please Your Lordeschip to be advertised, that according unto a letter directed unto your Lordeschip, at the mocion of the Cheef Justice and Maister of the Rolles, and as they say yt is your Lordships commaundement, I have disposid myself towards the Busshop of Mythe ; trusting that your Lordeschip will me to do no thing, that shall sounde unto my dishonestie or reproche, namely in my cause, being so juste as it is, as the very favourers of trewghte can declare. I have sent

\* State Papers, vol. iii. p. 35.

† Ibid. vol. iii. p. 50.

‡ Ibid. vol. iii. p. 65.

unto your Lordeschip souche articles, as he had dyvysed, nothing unto the purpose; and souche also, as I entended to have laide ayenste hym, yf the matter had gonne forthwarde.”\*

CCLVII. THOMAS ALEN TO CRUMWELL.†—20 Oct. 1538.

...“*HERE was a Bishop and a Frier put in the castell of Dublin for there high and notorious offenses against the Kingis Majestie; and at the last cessions were brought to Trym, to have been indited, arrayned, and suffered according: yet our maisters of the lawe, and all other (in good faith, except my Lord Tresorer, and veray fewe beside) been seche papistes, ypocrites, and wurshippers of idolles, that they were not indited; whereat my Lord of Dublin, Mr Tresorer, and the Maister of the Rolles were veray angrie. Howbeit they could not remedie it. They thre wold not come in the chapell, where the Idoll of Trym stode, to thintent they wold not occasion the people; notwithstanding, my Lorde Deputie, veray devoutely kneleng befor Hir, hard thre or fower masses.*”

\* “From a MS. in the British Museum the editors of the State Papers have printed the inclosure referred to:

“Hereafter folowith suche articles, as the Archbusshop of Dublin dothe mynyster, “wheruppon he wolde the witnes, that shalbe produced by the Busshop of Mithe, “shulde be interrogated.

“Imprimis, whether the Busshop of Mythe, in his sermon made the seconde Sonday in “Lent, at Saynt Owens, ded say theise wordes folowing, viz.: ‘Good people, beware of se- “‘dicious and false prechers, which movith questions of Scripture, for I tell you, all mysery, “‘all wretchednes, and also deathe, came by moving of a question; for they, that movith “‘questions of Scripture, doth preache, now this way, now that way, and be inconstante’? “Secondarily, whether thArchbusshop of Dublin ded invey ayenste the Busshop of Mithe “sermon, and proved that it was lefull to move questions, viz. at Christechurch, in his ser- “mon made the 4th Sonday in Lente; wherat were present the Commyssioners, and others of “the Kinges Counsaile?

“Thurdely, whether that the Busshop of Mithe, at Kilmaynam, after his sermon made on “Palmesonday, ded plope out of his bosom a letter, whiche he saide his servante sente hym? “and whether the contentes thereof were fayned and untrew to the saide Archbusshop of “Dublin, not onely slaunderous, but also contemptuous?

“Fourthely, how neclectlie the Busshop of Mithe ded passe over this texte ‘Quem dicunt “‘homines esse filium hominis’ &c., as whoo saithe it made nothing to the purpose?

“Fiftelie, whether the Busshop of Mithe sente a letter unto Umfrey, the contentes wherof “in parte was, that the saide Busshop of Myth wolde prove thArchbusshop of Dublin to be “an heritike?

“The 6th article, whether the Busshop of Romes pardons ded, on Palme Sonday, hange in “the church of Kilmaynam, according to that day of stacion before tyme used there for the “mayntenance of the Busshope of Romes auctoritie, or not?

“To the laste article, whether the Busshop of Mithe saide, ‘Good people gyve no credence “to hym, beleve hym not; for I tell you if ye will, in faith I will nott’?

“On this other side ben expressid the articles, mynistrd by the Busshop of Mithe where- “uppon certen witnes shuld be examyned uppon.

“Imprimis, that they, that were chosen to say beytwexte the Archbusshop of Dublin and “the Busshop of Mythe, shulde uppon their ote be examyned, whether they were at Kil- “maynan on Palme Sonday, or noo?

“Secondarily, whether that they harde hym there, in his sermon, touche the Kinges Su- premacie, or not?

“Thurdely, whether that he spake any thing of the Busshop of Rome?

“Fourthlie, whether he in the pulpett ded call thArchbusshop of Dublin heritike, or not? “I beseeche your good Lordship way and ponder myr letter, unto your Lordship before tyme “written, of the very matter, and now consider also howe this matter is handeled.”

† State Papers, vol. iii. pp. 102–3.

## CCLVIII. ARCHBISHOP BROWN TO CRUMWELL.\*—6 Nov. 1538.

"RIGHT Honorable, and my moste especiall good Lorde, my dutie furste premysid. Theise shalbe to advertise your Lordeschip, that in my laste letters, by Maister Thesaurers servante unto you addresside, I omittted to precribe unto your Lordeschip of one thing; the effecte whereof was that the papisshe obstinate Observantes ben here amonges theymselves in souche desperacion, that where theire hath ben twenty in an monastery, there ben now scaseley foure; ye, and by your pascience, they think that little number to meny; for theire fayned holynesse is so well amonges the Kinges subjectes espiede, that the peoples devocion is clene withdrawne from theym: not withstanding, for suche affection, zeale, and love, as the Lorde Deputie heretofore and dayly dothe bere towards that religion, it hath pleasid His Lordeschip to geve passeporte to one Frier Russell, a lay lewde brother, and one other yonge Frier of the same religion, to passe over the sees in to the Realme of Inglande, to labour the Kinges Majestie for the mayntenance of theym, and their monasteries here; not withstanding the Maister of the Rolles being present at tyme of the delyvery of the saide passeporte by the Lorde Deputi, whoo ded whate he moughte, to perswade his Lordeschip to the contrary; declaring unto his Lordeschip, after whate soarte that religion were uside in Inglande. But all this prevailed not, nor yet ympedit the Friers purpose; so that they, lyving before without hope of ferther soker, expecte now dayly to bryng the peoples myndes to theire owne lewre agayne, that they mought be ons agayne esteemed like yong Godes, which God forbidde shulde. How expedient and nedefull it were to have a Maister, auctorised by the Kinges Majestie, of the Faculties here, I have sondry tymes written my poure mynde theirownto unto your Lordeschip; for doubteles, until that tyme, this contrey will never be without a multitude of Rome ronners.".....

... "As touching the Busshop, that the Kinges Highnes wrote of to the Counsaile, and the Frier of Molyngar, they have ben boath at Trymme, and there reyned, being indicted uppon Premanire, will shalnot be worthe the Kinges Highnes one grote. How that mater was canvasid, I know not; but well I am assuride, they be good clerkes, and may do the King good service, if theire fidelitie wolde be good, whiche were harde to truste unto.".....

## CCLXI. THE COUNCIL OF IRELAND TO CRUMWELL.†—18 Jan. 1539.

"OUR humble duties premised unto Your right honorable good Lordship. It may plesse the same to be advertised, that, lieke as parte of us ded write unto your Lordship before Christmas, how we wold, in the same vacant tyme, repaire into theis parties, not oonlie for publishing of the Kingis injunctions, setting furth of the Wurd of God, and the Kingis Supremecia, togeder with the plucking downe of ydolles, and the extinguishing of ydolatrie, and the Bishop of Romes auctoritie, but also aswell for levieng, of the first fructes and twentie parte, with other the Kingis revennues, in theis fower shires above the Barrowe, as keping of cessions, and redresse of the peoples complaints here; according wherunto, we resorted first to Carlagh, where the Lord James Butler kepte his Christmas, and ther being veray well interteyned, from thens we went to

\* State Papers, vol iii. p. 103.

† Ibid. vol. iii. p. 111.

Kylkenny, where we were no les interteyned by thErle of Ormonde. Ther on Newyers daie thArchbishop of Dublin preched the Wurd of God, having veray good audience, publishing the Kingis said injunctions, and the Kingis translacion of the Pater Noster, Ave Marie, thArticles of the Faithe, and Ten Commaundmentes in Inglishe; divers papers wherof we delivered to the Bishop, and other Prelates of the diocese, commaunding them to do the like thorough all ther jurisdiccions, *The morue after, we kept cessions ther, where was put to execution certayn malefactours*, some for felonyes, other for murders by them committed; and divers other thingis presented, for redres wherof proces is directed for thapprehending the offendours; which, in our retorne thether homeward, we trust duellie to redresse, as apperteyneth. Where *also we finde good and obedient conformitie* emonges thinhabitauntes of that countrie, having entituled the Kingis Majestie, by inquisicions taken befor us, to certain parcelles of inheritance ther, having seised the same accordingly to His Gracis use.

"The Satirdaie foloing, we repaired to Rosse; which towne having been hertofor oon of the best townes in this lande, being also situate in the best place of that parties for subdueng of the Kavenaghes, is, in maner, utterlie decaid and wasted, and so hathe been theis many yeres, by reason of the continuall warr and adnoyance of the Cavenaghes, and the contentions betwixt them and Waterford, which cannot be holpen, whiles the Cavenaghes remayne onreformed. There, the morue after, the said Archbishop preched: which doon, that night we went to Wexforde, where the same Archebishop preched on the Epiphane daie, having a grete audience, publishing the said injunctions, and doing all thingis there as we ded at Kylkenny. The next daie we kept the cessions ther, making like enquirey, as we ded at Kylkenny; *and some malefactors were likewise put to execution*, and divers other presentmentes made ther.....

... "And the Satirdaie foloing the Epiphane, we cam unto Waterford, where the Mayor and his brederne, during our abode, bothe well enterteyned us, and used them selves obedientlie, in conformyng them selves to our orders and directions. Ther the Sonday my Lord of Dublin preched, having a veray grete audience, where also we published the Kingis said injunctions, and the residue of his plesur likewise; as we ded in Kylkenny, Rosse and Wexforde. The daie foloing we kept the cessions ther, bothe for the shire and the citie, *where was put to execution fower felones, accompanied with annother thefe, a frier, whom, among the residue, we commaunded to be hanged in his habite, and so to remayne upon the gallowes, for a mirror to all other his bredern to live trulie* Of all the hool shire of Waterford, ther aunswered the cessions the inhabitauntes scantelie of thoon half, which is called the Powers landes or cuntrie; thother parte oon Gerald Mac Shane of Desmonde, oon of the Geraldines, a kyndisman of James pretended Erle of Desmond, possessethe, and kepethe the same; who woll noither obey the King, his lawes, ne officers, but adhereth hollie to the said pretended Erle, albeit that all the landes which he hathe in the countie of Waterford been of the Kingis oolde inheritance, as parcell of his honor and lordship of Dungarvan.

"At the writing hereof we werne at Clonmell, where we kepe cessions this daie, and on Soneday thArchebishop of Dublin will preche here, likewise as he ded in other places befor mentioned, in the presence of all the Bishops of Mounster; who, upon our commaundment, been repaired hither for the most



parte alredie; and or they departe they shall be sworne to the Supremacie of the King, and against the Bishop of Rome.

"Your Lordships bounden Oratours,

(Signed)

"JOHN ALEN, Ke Chunceler.

(Signed)

"WILLM. BRABASON.

(Signed)

"GERALD AYLM, Justice.

(Superscribed)

"To the Right Honorable and our most singular good Lorde, my Lorde Crumwell, Lorde off the Previe Seale."

CCLXII. THE COUNCIL OF IRELAND TO CRUMWELL.\*—8 Feb. 1539.

... "AT Clomell was with us twoo Archebusshops and eight Busshops, in whoise presence my Lord of Dublin preached in advauncyng the Kinges Supremacy, and thextinquisment of the Busshop of Rome. And, his sermon fynished, all the said Bisshops, in all thoppen audience, toke the othe mencioned in the thActes of Parliament, bothe touching the Kinges Succession and Supremacy, befor me, the Kinges Chaunceller; and divers others ther present ded the lieke.

"We can not, in maner, expresse to your Lordship, with howe moche diffcultie we have persuaded, in that jorney, thinhabitantes of the counties of Wexforde, Waterforde, Kilkenny, and Tipperarie, to paie the Kinges Highnes a yerelie subsidie; that is to say, the countie of Wexforde an hundred markes by the yere, Waterford fiftie poundes, Kilkenny fiftie poundes, and Tipperarie fiftie poundes. In whiche places we cannot perceive, by any recorde, that ever any of the Kinges moost noble progenitours had any subsidie hitherto, but lately for oon yer in the countie of Wexforde, denyeng it in name of subsidie. Beseching your Lordship to give thankes, on the Kinges behalfe, to thErle of Ormonde and the Lorde Butler for their willes therin; for at last, after longe debating and moche persuasion, we founde theime veray conformable to the furtheraunce of the same. And as for all other thinges, either touching the Kinges honor, defence of the cuntrey, and the quiet and tranquillity of the Kinges Majesties subjectes, we finde theime earnest and conformable. Nevertheles, concerning the levyng of this subsidie in the countie of Waterford, we can not perceive that it shall take effecte, till that false traditor, the Kinges open ennemy, Geralde Mac Shane (which haith under hym the better halfe of the shire, beyng the Kinges auncient enheritaunce, as parcell of his honor of Dungarvan) be either exiled or reformed. Thother parte of the same shire, called the Powers landes, being for the more parte under the Lady Katheryn Butler, late wife to Sir Richarde Power, is in reasonable obedience. And, if the said Geralde wer not the let, all that shire mought be as peasibly, as any shire in all Irelande. The said Geralde is thoonlie instrument of all myschief and disobedience of all thois parties, and, as we thynke, the moost provoker and stirrer of James Odesmond to disobedience. And partelie Maister Sentleger and his fellows, late Commissioners here, can enstrute your Lordship of the mysdemeanor of the saide Geralde; who neither woll suffer the Kinges furst fructes, ne twenty parte, ne the profictes of the Kinges parsonage of Dungarvan, to be levied any where under his

\* State Papers, vol. iii. p. 117.

ruele, but oppenly maynteynthe the Busshop of Rome, and his parte takers, against the Kinges Supremacie. Wherof we have advertised my Lorde Deputie, to whom we thynke good your Lordship doo write earnestlie for the persecucion of the said Geralde, who maie be shoretlie punysshed, if it please His Lordship.

"After we departed from Clomell, we reasorted agayne to Kilkenny, to fynyshe and determyne souche presentementes as were made befor us at our furst ther beyng. One malefactor, beyng attached therupon by the shiriffe, was, after condempnacion, put to execucion. Dyverse others wer put to their fynes, whiche we have retorned and paid in the Kinges Eschequer; the like precident wherof have not been seen thies 200 yeres. Theis thinges done, we retorned and came to Dublin Crastino Purificationis. Beseching your Lordship, of your goodnes, to informe the Kinges Majestie of oure procedynges in this behalfe, considering that we be not bolde to inquiet His Majestie with our rude letters.

"Your Lordships most bounden Orators,

(Signed)

"JOHN ALLEN, Ke Chaunceler.

(Signed)

"GEORGIUS DUBLIN.

(Signed)

"WILLM BRABAZON.

(Signed)

"GERALD AYLM, Justice.

(Superscribed)

"To the Right Honorable and our most singuler good Lord, the Lord Crumwel, Lord Keper of the Privay Seale."

CCLXIV. ARCHBISHOP BROWN TO CRUMWELL.\*—16 Feb. 1539.

"MY bounden dutie unto your honorable good Lordeschip premyside. Theise shalbe to advertise the same, that this laste vacacion tyme I associated my Lorde Chaunceler and Maister Thesaurer in to the parties of Mounster, where of truthe, according thentent of their thither going, ded mynister unto the Kinges subjectes there dewe justice. In which parties we remayned the space of one moneth, duering which our abode there, according my dutie, I, of my parte, ded not onely preache and set forthe the Worde of God, but also my Maister the Kings Hihgnes moste goodly pnurpose. Before our retorne, my Lord Deputie repaired to Dublin, and there entred not only in to my place of Saynt Pulcars, but also ded take, and still usith, souche my householde stuff, as my saide house was fornyshed withall, not onely to my greate hinderance, but also, on my parte, the debiliating of the Worde of God, which greiveth me full soare. Nevertheles, I do whate I may in accomplishing my dutie; trusting your good Lordeschip, when opertuntie of time will serve, to obteyne the Kinges Graces letters to my saide Lorde Deputie, for restoraunce of my said house. Advertising your Lordschip, that, lauded be God, and persuation of your good letters, I suppoase that many yeres the Counsaile here were not of a more amiable and unifourme facion, knytte and united togethers, then they now be, that I beseche God it may so longe persivere. Although my Lorde Deputie is a gentilman of so strange and high a nature, so rigourouse and vehement of himself, ye also, and by your Lordeschipes pascience, so

\* State Papers, vol. iii. p. 122.

contrary in worde, that unleste theire be three or foures of us in company togethers, it prevaileth not to speake any our opinions; for motche ayenste his Lordeschippes honer, and ferr above all truthe, his Lordeschip will repoarte a mans saying, otherwise then ever it was spoken or thought.

"God knowith whate a treasure the Kinges Majestie, and your Lordeschip, have here of my Lorde Chaunceler, who is a right wise gentilman, and a judge very indifferent, and shiftith matters depending before hym full breefie, to the greate ease of the Kinges subjectes, the poure suters. His Lordeschip also kepith a right sumptuous house, and like a Chaunceler; as motche to his Princes honor, as any Chaunceler ded here many yeres paste, notwithstanding his possessions be not so good as other Chauncelers were. I am ashamed to prescribe unto your Lordeschip, after whate soarte my Lorde Deputie dothe use hym towards my Lorde Chaunceler. Whate the occasion shuld be, I cannot perseyve, unleste it be in dysdayne that my Lorde Chaunceler kepith so boumtiful a house; which indeade, yet hitherto, ys fer above the Deputies. And for my parte I may well accompt hym to be my especial frende, for duering 14 or 15 daies, this counsaile tyme, I was his contynuall geste. Other place had I none to repaire unto, but onely Talaugh, which adjoyneth uppon the Tholes, being nowe my mortall enemyes, daily oppressing my poure tenants above all others; motche doubting that they be somwhate incurraged so to doo, for they, now being at my Lorde Deputies peaxe, dothe no maner robry, but uppon my onely tenants. His Lordeschip hath sondry tymes saide, he wolde be even with me; but, in deade, if he constrayne me to ly at Talaugh, yt will be odde on my behalf, for in shorte tyme I shalbe in the same case with the Tholes, that my prediessor was with the Garrantynes. For servantes have I none, passing foure and a chaplen, which is a very slender company to resiste so many malifactors, as ben of the Tholes, and theire adherentes, at the leste too hunderith parsons. Howe I am wrapped, God judge. If I endeavour not to preache the Worde of God, then am I assuride to incurge my Princes and your Lordeschips displeasure. If I repaire and manure in my saide house of Talaugh, then am I assurid nygh to be my confusion. Thus am I, on every side, involved with sorrowes, and all I think to little, if yt were for my Princes honor.

"At souche season, as your Lordeschipes pleasure shalbe to sende hither auctoritie ad causas ecclesiasticas, God willing, I entend to travaile the country so ferr as any English is to be understood; and where as I may not be understande, I have provide a suffragan, named Doctor Nangle, Busshop of Clonferte, who is not onely wel lerned, but also a right honeste man, and undoubtedly will set forthe aswell the Worde of God, as our Princes causes, in the Yrish tonge, to the discharge, I trust, of my conscience. Whiche said Busshop was promoted to the saide benefice by the Kinges Majestie and you, and, by commaundment of the Kinges Highnes and your good Lordeschip,\* by me consecrated; although as now he is expulside; and a Rome ronner, whoo came in by provision, supported in the same by one McWilliam, a naughtie traiterous parson, governor of those parties; to whome the saide Doctor Nangle, my suffragan, shewede the Kinges Brode Seale for justyfying of his auctoritie, which the saide McWilliam litle estemed, but threw it away, and vilipended the same. Notwithstanding that, my Lorde Deputie will se no

\* Richard Nangle, Bishop of Clonfert, 1536.

redresse, for that his Lordeschip is so affectionated to the saide McWilliam, although his Lordeschip hade the Kinges Highnes letters in the favours of my saide suffragan. Nevertheles His Lordeschip ded a greater enterprise, then that, in Obrenes countrey. He there deposide a Busshope,\* which was likewise promoted by the Kinges Highnes; which Busshop was at Clonmell at our last jorney, and there, in the presence of the Lorde Chaunceller, Lorde The-saurer, Maister Sub-Thesaurer, and me, declaride unto us the truthe theireof. And forasmotche as we could perceyve, he was a right fatherlie parson, and he that the Lorde Deputie hath now promoted to the same is a Gray Friar, one of the holy confessors of the late Garrantyes, even as ranke a traditor as ever they were. So knowith the Lorde, who have your honorable good Lordeschip in His blessid tuicion.† From Dublin, the 16 of February.

“Your Lordeschip Oratour.

(Signed,

“GEORGIUS DUBLIN.

(Superscribed)

“To the Right Honorable and his most especiall good Lorde, the Lorde Private Seale, deliver this.”

CCLXIX. THE LORD DEPUTY AND COUNCIL OF IRELAND TO CRUMWELL.‡—  
21 May, 1539.

“MAY it pleas Your honorable Lordship to be advertised, that by the reporte of Thomas Cusake, and other repaired lately out of the Realme of England into this land, it hath bene openlie bruted the Kinges Graces pleasure to be, that all the monasteries within this land shuld be suppressed, none to stand. Emongist whiche, for the comen wele of this said land, if it mought stande with the Kinges moste gracious pleasure, by your good Lordships advertisement, in our oppynions it were right expedient, that six houses shuld stand and contynue, changing ther clothing and rule into suche sorte and ordre, as the Kinges Grace shall will them: whiche are named Saint Marie Abbay adjoyning to Dublin, a house of White Monks; Cristes Church, a house of Chanons, situate in middis of the citie of Dublin; the Nunrie of Grace-Dewe in the Countie of Dublin; Connall in the countie of Kildare; Kenleys, and Gerepont, in the countie of Kilkenny. For in thois housez commonly, and other suche like, in defeaute of comen innes, whiche are not in this land, the Kinges Deputie, and all other His Graces Counsaill and officers, also Irishmen, and others resorting to the Kings Deputie in ther quarters, is and hathe bene moste comenlie lodged at the coasts of the said housez. Also in them yonge men and childer, bote gentilmen childer and other, bothe of man kynd and women kynd, be broght up in vertue, lernyng, and in the Englishe tongue and behavior, to the grete charges of the said houses; that is to say, the women kynd of the whole Englishrie of this land, for the more parte, in the said Nunrie, and the man kynd in the other said houses. And in the said house of Seynt Marie Abbay hathe bene the comen resorte of all suche of reputacion, as hathe repaired hither out of England. And in Christchurch, Parliamentes,

\* Dominick Tirrey, Bishop of Cork and Cloyne.

† Lewis McNamara, O.M., provided by the Pope, not by Gray as Brown falsely swears in order to damage the Deputy's character with Crumwell and Henry.

‡ State Papers vol. iii. p. 130.

Counsails, and the comen resorte, in terme tyme, for diffinicions of all matiers by judges and learned men is for the more parte, used. Also at every hosting, rode, and journey, the said houses, on ther propre costes, fyndethe as many men of warr, as thei are appoynted by the Kinges Deputie and Counsaill, for the same. And if thei were suppressed, the profite of them shuld scarslie fynd so many men of warr, according the rate of the Kinges wages, as thei, nowe standing, do fynd and hathe found; over and besides the yerelie payment bothe of subsidie, also the twentie parte of ther smale revenue, withe also ther furst frutes, at every change of ther hede rulers. For whiche causes, and others moved and reisoned amongst the Counsaill, it was thought the Kinges moste gracious pleasure standing therwith, more for the comen wele of this land, and the Kinges honor and profite, that the said six housez, changing ther abbittes and rules, aftir suche sorte as shall pleas the Kinges Majestie, shuld stand, then the profite that shuld to the Kinges Grace growe by their suppression. Notwithstanding, the Lord Chaunceler, thArchebushop of Dublin, and Mr. Brabazon, Under Thesaurer, for that thei were named to be Commissioners for the suppression, did forbere withe us to subscribe this letter, altho thei thought and agreed, as is aforesaid. Wherfor, in discharge of our duties to the Kinges Majestie, we declare here this our opynyons in the premisses to your honorable Lordship; beseching the same to accepte it in good parte, as he, next the Kinges Majestie, that hathe bene the principall preferer of the comen welthe of this pore land. And if your Lordship think our opynyons good in the premisses, that it may pleas your honorable Lordship to se the meane the same may take effecte accordinglie. And thus the Trinitie have your honorable Lordship in His moste tendre tuicion. Written at Dublin, the 21 day of May.

" Your Lordships moste bounden,

(Signed)

" LEONARD GRAY.

(Signed)

" JAMES BUTLER.

(Signed)

" GERALD AYLM, Justice.

(Signed)

" THOMAS LUTRELO, Justice.

(Signed)

" THOMS. HOUTH, Justice.

(Superscribed)

" To the Right Honorable and our especiall good  
Lorde, my Lorde Crumwell, Lorde Prive  
Seale."

CCCIV. ARCHBISHOP BROWN TO ESSEX.\*—19 May, 1540.

" My bounden dutie premyside, with moste hartie thanks for the manyfolde kyndenes that Your Lordeschip hathe evermore shewed unto me, a poure man. It may please your mooste honorable Lordeschip to be advertised, that even now is comen to passe the craftie conveyance of the Geraldynes, and there folowers, to which I have heretofore sondry tymes signefied unto your Lordeschip; and now agayne, as your Lordeschip shall perceyve, is declarid with others in a boke of truthe, the berers whereof can more at large set forthe the effecte thereof. I truste the tyme of amendement is now at hande. Howbeit, *sithens that ever I harde the name of Irelande furste, the contrey, was never farther out of order, how so ever my Lorde Deputie hath written; whose letters I suppoase conteyned nothingelles but cloked dissimu lacions onely,*

\* State Papers, vol. iii, p. 208.

and the very olde practise of the Geraldines. In conscience, my Lorde, I thynke theire ys neither Ynglisshe ne Irisshe (the olde corrupte sorte sett aparte), but they be gladd of his departure. Wolde to God that he mought be tried by the country. If the Kinges Grace harde the lamentable exclamacions that had ben here made ayenste hym, it wolde pitie His Majesties hartte. The beste of the Kinges Counsaile here were none other with hym, saving your Lordeschippes honor, but knaves and villaynes; and he wolde hange the knaves his owne hands, nothing estemyng them. His cheef counsaile was Justice Howthe, James Bathe, Walter Goldyng, and Sir Geralde Fitzgeralde, and others souche like; and even as was theire counsaile, so hath this lande ben rewled. Now being lefte at large, I cannot say that his Lordeschip favorith that falsse traditor, Reginalde Poole; whome, in comunicacion bytwene his Lordeschip and me, I called papisshe Cardynall; *and he, in greate fume, called me polshorne knave frier*; and shortely after that, his Lordship toke his journey towards Galway and Lymerike, where, as it was commonly brewted, the saide Cardinall shuld arrive, leaving there the Kinges cheef ordynance. I wolde declare and make open more unto your Lordeschip, but that my Lorde Chaunceler and Maister Thesaurer can set forthe the hole truthe to the uttermoste. Your Lordeschip shall likewise receyve of my Lord Chaunceler my poure aunswer to certain articles that were sente hither by Maister Pachett. So commytting your good honorable Lordeschip into the tuicion of the Blesside Trinitie, who sende Your Lordeschip longe liff, in motche honor and felicitie to endure. From Talaugh, the 19th day of May.\*

"Your Lordeschippes Oratour,

(Signed)

"GEORGE DUBLIN.

(Superscribed)

"To the Right Honorable and his mooste especiall good Lorde, the Lorde Private Seale, deliver this."

CCCCXXXV. ARCHBISHOP BROWN TO KING HENRY VIII.†—28 Feb. 1545.

"Moost drad Sovereign Lorde. May it please Your Majestie to be advertized of the occurrentes here of this Your Highnes Realme. So it is, most graciouse Lorde, that her is controversie rysyn betwene the right honorable my Lorde Deputie and my Lorde of Ormonde, which, if spedy remedy be not had, is like to torne to great hurte; ye, to the totall distruction of this Your Majesties Realme, and in especially your mere Englysshe subjectes. The whiche controversie, as I suppose, is procured by some that be mere Englishe, whose parties shulde be (if thei dyd their dutie) to se quietnes, peace, and love, rather then suborne men to do the contrarye. Mooste graciouse Prince, here rayneth insaciabie ambicion, here rayneth continuall quoyne and lyverie, callid extorcion. For even now, at the repaire of the Erle of Ormonde to Dublin, being sent for by Your Majesties Counsaill, he brought with hym suche a company of galloglas, as parte of my tenautes, with dyvers others of Your Majesties subjectes, be endomaged therby. What shall I

\* Brown little knew how Crumwell was well aware before he received that letter that Poole was on the continent and determined to remain there. But these insidious calumnies had their effect at length, and Gray was sent to the Tower in less than a month after.

† State Papers, Vol. iii. p. 557.

wryte, but trueth? The seid Erle is more like a prince, then a subject; more like a governour, then an obedient servaunt. What toye he hath in his hedd, I knowe not; I praye God, it may torne to Your Majesties honour; for even, at his departure, he willed, ye, and comanded, the Counsaill, my Lorde Deputie being present, that we shulde not advertize Your Grace, nor your Counsaill, of the state of this lande, notwithstanding the seid Lorde Deputie requiered us to the contrarie. Which wordes I thinke cam of a stowte stomake, and the rather that he wolde have his matters examyned emonges his owne countrey men rather then otherwise. I besече God to preserve Your Grace, and to save all your Englishe subjectes from the tryall of this countrey. (*Expertus loquor.*) Your Majestie hath given the seid Erle certeyn landes on thissid the water of Barrowe; which being in Your Graces handes, the poore countrey of Dublin and Kyldare were preserved and defended with tenne souldiours, but within 8 wekes after the seid Erle had the same, my poore tenauntes lost 12 score kye and 8 horses, and sithence to the value of 1000 markes. This is the defence of the seid Erle. The country here had rather to have given a 100£ yerely, then ever he shulde have come so nigh. For although the said Erle do repaire to Your Majesties Counsaill, in Englishe apparail, with some yomen, yet is there more Yrishe ordre, more stelth now, in the seid landes of late given hym, then was before a great whyle; ye and as men say, in the Geraldynes tyme. Here, moost gracionse Lorde, I dischardege myself according my duetie. And as touching Your Highnez Deputie here, I knowe not but in his proceedinges he hath followed the advise of Your Majestie Counsaill here. But one thing I will say, to be playne with Your Majestie, I thinke thei be weary of us all that be Englishe men here. Assuering Your Majestie, I do not se howe thies matters, depending betwene your seid Deputie and thErle of Ormonde, can be taken up, unles it may please Your Grace, with celeritic, to send for them both to Your Majesties presence; not doughting but then Your Highnes shall easely perceyve in whome the default is, and of all mens juggeling here; which shulde be the greatest good that ever cam to this your Realme. Which although the same be at this present, like as it hath byn by the space of 4 or 5 yeres past, in better quyt and staye, then it hath byn in many yeres before, as it is evident ynough to all men (for I knowe not in all the hole Realme so muche warre and mischef, as is now presently, under the same Erles owne ruell, betwene his sister, the Lady Katheryn Butler, and Sir Geralde Fitz John); yet nevertheles I feare me, unles this matter, depending betwene your seid Deputie and the Erle, be prestly loked unto by your high wisdom it wilbe occasion to encorradge evell disposed personaes, to mischeef and trouble. Moost humbly, therefore, beseching Your Highnes, according your accustomed princely goodnes, to provide suche brief remedy, as may be for the welth of this poore Realme, and quyt of Your Highnez subjectes of the same. And so I moste humbly besече Almighty God longe to preserve Your Majestie in mooste prosperouse helth, with contynuall victory over your enymies. From Your Graces Citie of Dublin, the 28th of February, 1545.

"Your Graces moost humble Subject,

"poore Oratour and Chappelayn,

(Signed)

"GEORGE DUBLIN.\*

(Superscribed.

"To the Kinge His mooste Excellent Majestie."

\* This is Brown's last letter in the State Papers.

## CURWEN.\*

[In 1554 Brown was deposed for having, against the laws of Ireland civil and ecclesiastical, lived with a woman as his wife. He was succeeded by Hugh Curwen, who apostatized in the beginning of Elizabeth's reign, but never showed much zeal for the Irish reformation. In 1560 he begged to be translated to a bishopric in England.† In 1563 Elizabeth proposed that he should resign his archbishopric and chancellorship, and receive a pension during life.‡ The measure was not then deemed advisable.]

During his stay he preached "now and then,"§ was "civil and conformable," ready, in a word, to do whatever "authority commanded, but not ranked with the only two zealot bishops, Loftus of Armagh, and Brady of Meath."|| In April, 1564, he again wrote two letters, one to Elizabeth, the other to Cecil, claiming for eight years and a half's service to the queen and to her sister Mary, a pension of £200 per annum until he should obtain another bishopric. The same year he opposed manfully a project of converting St. Patrick's church into a university. 1. Because it was a scheme of the projector to farm the prebends at a low rent for themselves. 2. A university would, he said, be of little use in Ireland, as there was no promotion to bestow on learned men. 3. The Irish enemy, under colour of study, would send their friends and learn all the secrets of the Pale and destroy the English. 4. The prebends were parish churches, and therefore required for ancient men not young scholars. 5. These prebends of St. Patrick were the only benefices within the English Pale that the archbishop could bestow on learned men.¶ Brady of Meath was of a different opinion. Nothing but the devil, he thought, could oppose such a project. The archbishop and canons, he protested, were dumb dogs, the living enemies of the "truth;" disguised dissemblers, who admitted themselves, that they were old bottles and could not hold the new wine of reform.\*\* The archbishop, he declared, was an unprofitable old workman who should be deposed.†† Loftus also urged Curwen's removal, because

\* Fr. Phil. Curwen, O.S.F., wrote from his convent at Seville, March 29, 1589, to J. Long, Archbishop of Armagh, "representing that he wished to apostatize, and expressing his regret that he had not formerly accepted the comfortable overtures and good proffers made him by his uncle, now deceased, Hugh Curwine, late Archbishop of Dublin. John Garvey and A. Loftus (Archbishops of Armagh and Dublin) sent him £50. He landed at Waterford, became chaplain to Garvey, got many good things and died in ten months, Sept. 13, 1590, being afflicted with a flux all along since his apostasy." This was written by Garvey; the MS. was among Usher's and afterwards Ware's, and printed by R. W. Gent. Dublin, 1681, in twenty pages 4to—L.F.R.

† Shirley, Orig. Let., p. 94.

‡ Ibid, p. 125.

§ p. 136, March, 1564.

|| Ibid. p. 140.

¶ Ibid. p. 152.

\*\* Ibid. p. 162.

†† Ibid. p. 201, June, 1565.



he would not co-operate in the reform. He advised also the resignation, if not the deprivation of the prebendaries, for a similar reason.\*

A despatch from Ireland to the Privy Council of England, April 15, 1566, gives, it must be admitted, a more Protestant character both of the archbishop and of the canons; the latter being willing, it relates, to surrender a part of their livings for the promotion of men of learning.† This good character was signed by Loftus in April; and yet this same man on the 8th of October following wrote from Cambridge to Cecil, begging for the sake of Jesus Christ the archbishopric of Dublin for himself, because Curwen did no good in preaching, or in making others preach, or in reforming his diocese at all: because he appointed open enemies to livings, and (he was sorry to say it) because he swore terribly in open court, and that not even once or twice but frequently.‡

Loftus was the reformer to restore truth in Ireland. Curwen's translation to Oxford was at last determined before March 28, 1566,§ but did not take place until the following year. In April Sydney and Loftus both recommended Brady as his successor.|| Loftus, however, retracted, and obtained the see for himself. As for Curwen he thanked Elizabeth, April 24, 1566—wrote to Cecil in May for permission to remove before the Irish winter came on, as it did not agree with him, and in time to provide fire and winter's hay for his stud at Oxford.¶ Sydney supported the petition, asking for him in addition, the last half year's revenue of Oxford; that renowned see, where, within sight of those colleges which Irish faith had contributed to found and to adorn, he was to close the unhonoured old age that in the hour of danger, at the post of honour, had surrendered the crozier of St. Livinus, St. Rumold, and St. Laurence to the new Anglican Church.

Not long after the apostasy of Curwen, a Dublin priest named Thaddæus, received extraordinary faculties from the pope's delegate, David Wolf, Jesuit, then residing at Limerick. The letter giving those faculties is dated December 7, 1563. Wolf, deputed by Pius IV. to the princes and to the whole kingdom of Ireland, regrets that the dangers of the journey prevent him from visiting Leinster in person, and that war and tyranny prevented the inhabitants of that province from coming to him. He therefore appoints Thaddæus, with full powers to absolve all persons, lay or ecclesiastic, from all sins and censures, especially from those incurred by heresy or schism, leaving it to his own prudence to determine whether the abjuration should be public or private, and specially forbidding any remuneration whatever to be received for such absolution.\*\*

\* Shirley, Orig. Let., p. 226, Oct. 8, 1565.

§ p. 238.

|| p. 238—242.

† p. 263.

¶ p. 249.

‡ p. 274.

\*\* p. 128.

Dublin though deprived for many years of the pastoral care of an archbishop, was still generally true to the Catholic faith. Almost within sight of the castle, the nuns of Grace Dieu Convént, three miles north of Swords, were living so late as the year 1577 (October 11.) in a small house near the Castle of Portrane, a part of their old property, which together with adjacent lands and tenements, had been by them devised to Isabella Walsh, before the dissolution in the first year of Edward VI. The prioress with her community and chaplain celebrated the divine office in the parish church of Portrane.\* Before the Reformation Grace Dieu was the only convent where young ladies were taught the English tongue, and on that ground a petition had been presented in vain by the Irish government to exempt it from the general suppression—*State Papers*, Henry VIII, vol. iii. p. 130—see above, p. 179.]

### MATTHEW DE OVIEDO.

MATTHEW OF OVIEDO, a Spaniard, was a Franciscan of the order of Observants; made his novitiate in Salamanca, where he had eleven other novices at the same time with him, who were afterwards raised to the episcopal dignity in various parts of the world. Oviedo was Guardian of the Convent and Church of Toro, in the diocese of Zamora, in Old Castile, as were also two others of the above eleven, viz.: Franciscus a Sesa, Bishop of Segovia, in Castile, and Joanno Rada, Archbishop of Lanciani, in Naples.†

Among these eleven Wadding reckons Conry of Tuam in the seventh place, Cavellus of Armagh in the eleventh, before whom in the sixth place he names “Matthaeum Ovetensem, Archiepiscopum Dublinensem in Provincia Lageniæ, et *electum* Auriensem in Callecis Hispanis.” So minutely does Wadding attend to order and chronological priority, as far as I can judge, in placing these prelates and recounting their successive dignities, that I cannot but think that it was after Matthew Oviedo had been Archbishop of Dublin that he became ‘*electus Auriensis*,’ a see which Wadding‡ tells us was in Spain “ad Minium fluvium, Archiepiscopo Compostellano suffraganeum;” and to which he states in the same place, Sebastian Brixianus, Confessor to Philip III., whom he reckons in the second place among the twelve, was promoted. It was no doubt after the death of Sebastian and the flight of Matthew from Dublin, that the latter was elected.

In the month of October, 1599, Friar Mathew,§ landed in

\* Remembrancer Off. apud Archdall. p. 128.

† Wadding, anno 1290, tom. ii. N. 29, p. 583.

§ O’Sullivan’s, tom. 3, L. 5, c. xii. fol. 167.

‡ Wadding, tom. iii. p. 361.

Ulster along with Martin Cerda, a Spanish nobleman. The Archbishop was delegated by the Pontiff, to grant a plenary indulgence to all that would take up arms against the English persecutors; bearing to O'Neil a splendend ensign or colour, said to be the wing of a phoenix, and both bringing from Philip III. of Spain a large sum of money with a promise of much more, and also of soldiers.

O'Neil was at this time in Ulster, after declaring that the truce concluded between him and the Earl of Essex was at an end, since Essex was cast into prison for his ill success against the Irish, and that therefore, according to the terms of the truce, the enemy should be ready after fourteen days. For besides the taking of Cahir, which was immediately recovered, this truce was all that Essex had effected with the largest army that England had ever sent against the Irish. "*Hispanis legatis reversis*," O'Neil set out for Munster in December, 1599, to rouse the princes there to arms. The brave Maguire attended him with many others. A short time after, this bravest horse soldier, confessedly in either army, lost his life. Riding out with Edmund McCaffrey, Neil O'Durnin, and a priest, they were attacked by Sir Warham St. Leger and sixty cavalry. He pierced with his lance through the head St. Leger, who had previously wounded him with a pistol-shot, and both died of their wounds in a few days (see Stewart and M'Geoghegan). From the words "*Hispanis Legatis reversis*," it would appear that Matthew returned to Spain after only two months residence in Ireland. We find him again, however, in Ireland with the Spanish army at the unfortunate siege of Kinsale.

Philip the III. at length sent off the aid he had so long and so often promised to O'Neil and O'Donnell. But the evil genius of Ireland still prevailed. The fleet that conveyed the forces was ordered to Terceira, as well to oppose the English fleet in that quarter as to protect the bullion ships returning from the Indies and South America. This expedition diminished the army, and the Irish were daily losing courage and strength, and becoming less efficient. The fleet commanded by Don Diego Brochero, was separated by a storm in its voyage from Terceira to Ireland; the greater division bearing the admiral, the General Don Juan del Aquila and 2500 soldiers, landed at Kinsale on the [23] Sept., 1601.

Don Pedro de Zubiaur, the vice-admiral, landed some time after with seven ships carrying the cannon, arms, and ammunition, at Castlehaven. Aquila quarrelled before the arrival of Zubiaur, with his captains, with the Irish princes, whom he treated with disregard, and also with Matthew of Oviedo the Archbishop of Dublin, when it would appear he came over again with the Spanish fleet. Zubiaur coalesced with the Irish chieftains; made the English, who had attacked his fleet, and were effecting a landing in the port of

\* O'Sullivan, tom. iii lib. 6. c. vii. fol. 174-6.

Castlehaven, when O'Sullivan and other Irish came in to Zubiaur on twenty-four hours' notice, fly to their vessels, and killed that day by sea and land 575 of their men. Aquila's ill success may be seen in M'Geoghegan, or any other writer on Irish subjects, as well as in O'Sullivan's Catholic history.

### EUGENE MATTHEWS.

[EUGENE MATTHEWS, a priest of the diocese of Clogher, was appointed bishop of that see, 31st August, 1609; and translated to Dublin, 2<sup>nd</sup> May, 1611.\* The best account of the difficulties he had to contend with is given in the introduction to the Provincial Statutes drawn up under his care.† His acts, he says, were maliciously misrepresented, or ascribed to false motives. A Catholic bishop could not discharge the least of his sacred duties except at the risk of his life; and he was sure to suffer imprisonment or exile. If he proposed to reform some growing abuse, or to restore ecclesiastical discipline, the dreadful terror in which he lived made him stop suddenly in the midst of his labours, and almost deprived him of reason, so that he knew not what to do. It was with the view, he adds, of refuting the calumnies that were industriously circulated, and of setting forth in their true light the motives of his conduct, that he convened this meeting. If he could not accomplish all the good he wished in these trying circumstances, he must only strive to the best of his ability to promote God's glory, and the salvation of the people.]

The synod was held in 1614 in Kilkenny; this city, the strong-

\* Hib. Dom. suppl. p. 817.

† See "Præmium ad constitutiones synodales Kilkennienæ habitas, 22<sup>da</sup> ad 27<sup>mam</sup> diem Mensis Junii, 1614." The printed copies (A.D. 1770) are full of errors: 1<sup>o</sup> The date given is 1624, though Eugene Matthews, who presided, was dead before that time. 2<sup>o</sup> The name is made "Eugenius Matthæus de Oviedo," confounding one bishop with another, or rather making one out of two. Oviedo, the predecessor of Matthews in the see of Dublin, could not be present even in 1614, the true date. 3<sup>o</sup> At p. 62, decrees approved by Archbishop Russell in 1685, are inserted with his name as part of the constitutions of 1624! In the MS. of these same Dublin statutes in Dr. Renahan's collection, written in a very old hand, we find the wrong date 1624, but the name 'Oviedo' and the whole passage with regard to Archbishop Russell, are written over the lines or in the margin, and in a later hand; manifestly the emendation of some ignorant scribe. Dr. Burke (Hib. Dom. Sup. p. 814,) notices the change of date thus, "Exemplar quoddam exhibet annum 1624, sed mendose quippe Eugenius Matthæus e vivis abierat ante annum 1624, ut vel ex eo luculentissime constat, quod ipsius successor creatus fuerit 23 Oct. 1623, juxta *Archivum Vaticanum*." This correction should have prevented recent writers from being deceived by the printed statutes.

hold of the Catholics, being chosen as the place of meeting rather than Dublin, where bishops or priests could not assemble without imminent danger. The wise provisions of this council, the spirit of submission to Church authority which breathes through them, and their simple and forcible style, will bear comparison with the laws of the Irish Church at any subsequent period.\*

\* Exception has been taken to one word which occurs, not in these decrees, but in those drawn up in the provincial councils of 1670 under Dr. Talbot, and of 1686 under Dr. Russell, where 'Material Heresy' is reserved. Now 'Material Heresy' being, it is said, no sin at all, but merely an error in faith arising from invincible ignorance, could not be reserved. No doubt this is the more usual acceptation, but is it the only meaning of the word? Do not the ablest theologians, ancient and modern, speak of *Material Idolatry* for example, and even of *Material Heresy* when the idol is worshipped or the faith denied externally by word or act, from fear, culpable ignorance, or other unworthy motives, and not '*ex animo*' with the assent of the mind? "Idolatria Materialis, cum quis sine affectu interno, ex gravi metu, cultum idolo exhibet"—Gury de Præc. "*Triplicis gradus distingui possunt hæretici materiales, 1º qui assentiuntur errori ex invincibili ignorantia, 2º ex ignorantia vincibili, 3º ex ignorantia affectata vel ob tædium discendi, metum scrupulorum, vel similem causam*"—Sporer in 1<sup>um</sup> Præc. c. iii. sect. ii. Indeed there are few theologians or canonists who do not discuss the question, whether sins against faith, the result of affected ignorance, should be regarded as *material* or as *formal* heresy. It is not true, then, that the word "material" is used invariably in a sense which excludes the very idea of sinfulness, and makes the reservation therefore unmeaning and impossible. Seeing what efforts were made both in England and Ireland to force the Catholics to attend the Protestant service, the rewards held out to those who conformed by word or deed to the Protestant faith, and the dreadful penalties of recusancy,—weekly fines, exclusion from place, &c.—it should not surely in those circumstances be deemed strange, if the pastors of the Church declared even the outward profession of heresy to be a crime, which no amount of good or evil could justify, and one of which they should themselves take cognizance. And if they resolved to do so, in other words to reserve that sin, (see above pp. 119, 120, 126, 146, and the instructions of Clement and Pius, 1603-6-7,) what better name to call it than '*hæresis materialis*'?

The truth is, that the word "material" is applied to express so many different ideas (see Carriere, de juris violatione, sect. 11. c. ii. No. 870), that the meaning must be determined not by mere conjecture, but by the context and circumstances, and the usage of the writer and the times. The student who attends to these obvious rules, by which we judge of other men and their writings, will find little difficulty in discovering what the Irish bishops intended to condemn under the name of *Material* heresy. They meant by it an error of faith on points clearly revealed, but not yet expressly proposed for our belief by the Church. To hold a doctrine, not only contrary to the word of God, but also distinctly condemned by the Church, was *formal* heresy. In the language of the schools, a proposition formally heretical contradicted *Catholic* faith; a proposition materially heretical, *divine* faith. I may be allowed to illustrate the distinction, and to point out its use in Ireland by reference to a well known controversy. The

The good archbishop was not permitted to witness the fruits of his own zeal; for a proclamation appeared soon after, leaving no alternative to the Catholic priest, but to fly from his country, or die the death of a traitor.\* He chose exile in the hope that his exertions abroad might be still useful to the suffering poor at home; and passing through Flanders he visited the University of Louvain, where he made arrangements for founding a new college to supply the Irish mission with learned and devoted priests. Proceeding thence to Rome he obtained through the intercession of the Cardinal Prefect of Propaganda, the aid and approbation of the reigning pontiff, Urban VIII; and in 1623 were laid the foundations of the "Irish Pastoral College," the twenty-ninth in order of time connected with the Louvain University.† Dr. Matthews contributed 5000 Florins for its maintenance,‡ about £500 sterling, a large sum if we consider the means probably at his disposal, and the value of money at that time. Whether he ever left Rome, returned to Louvain, and died there as stated by some writers,§ appears to me very doubtful; because Paul Harris, who must have known the truth, distinctly asserts the contrary. Speaking of Dr. Fleming who succeeded, Harris says, "so it happened as our present archbishop (*his predecessor being deceased in Rome*) landed in Ireland about the year 1623."¶]

Divines of Paris, being consulted by the Irish bishops on the oath of allegiance under James I., and again in 1775 on a new form of oath, replied that the opinion which holds that excommunicated princes may be lawfully deposed by their subjects, is *material* heresy; and that which maintains moreover, that such princes may be lawfully put to death, is *formal* heresy. See Bossuet, Defen. Decl. cleri Gal., Pars. 1. lib. iv. c. 37. A Defence of the Tenets of Catholics, by Dr. Butler of Cashel; and Charles Butler's Catholic Memoirs, vol. iii. p. 449.

The archbishop says "a doctrine is called *materially* heretical, when contrary to the word of God, though not yet condemned as such; and when condemned by the authority of the Church, it is called by the schoolmen *formally* heretical."—*Ibid.* Appendix, note, p. 51—Dublin, 1787.

\* Hib. Dom. p. 634.

† XXX. Collegium Pastorale Hibernorum. Auctor ejus fuit Illustrissimus D. *Eugenius Matthæus*, Archiepiscopus Dubliniensis in Hibernia, qui Romæ agens movit ad hoc patres, qui e Cardinalium collegio sacræ de propaganda fide congregationi assident. Inchoatum hoc collegium anno 1623. Hist. sac. et prof. Archiepiscopatus Mechl. Cornelii van Gestel, tom. i. p. 185. Hagæ Comitum, 1725.

‡ See list of endowments in notice of "Irish Colleges of Louvain," in Dr. French's works, by Rev. C. P. Meehan.

§ Brennan, vol. ii. p. 239, who gives no authority. Perhaps he relied on the approbation given by Matthew to Dr. Conry's work, "De Statu Parvulorum" *without date or place*.

¶ The excommunication published by the Lord Archbishop of Dublin, Thomas Fleming (alias) Barnwell, proved not only unjust but of no validity, by Paul Harris, Priest, p. 41.

## THOMAS FLEMING.

[THOMAS FLEMING, descended of the noble family of the Flemings of Slane, was born about the year 1592. At an early age he entered the Franciscan order, and completed his studies in the college of St. Anthony of Padua, in Louvain, which had been recently founded by the celebrated Dr. Conry, Archbishop of Tuam, and munificently endowed by Philip III. of Spain.\* The government of the new convent was committed to another distinguished Irishman, Dr. M'Caghwell, afterwards primate of Ireland, under whose care Dr. Fleming made such rapid progress that he appointed him his successor in the chair of Theology. It was probably owing to his influence also, and the high character he gave at Rome of the young professor's virtue and ability, that he was selected soon after (23rd October, 1623) by Urban VIII. to fill the vacant see of Dublin—being yet only thirty-one years of age.† Harris,‡ indeed, ascribes his promotion to the interest of noble relatives, and the exertions of his religious brethren, but this discontented priest, as we shall see, stopped at no charge which could lessen the archbishop's credit or authority; and the calumny in this instance, is sufficiently refuted

\* "Conventus fratrum minorum Hibernorum dicatus *S. Antonio de Padua*, erectus anno 1609, munificentia *Philippi* III. Hisp. regis, cura ac sollicitudine *Florentii Conrii*, Thuamensis Archiepiscopi, tum Hiberniæ Provincialis ministri, primum lapidem ponentibus anno 1618, serenissimis Belgarum principibus *Alberto et Isabella*"—Van Gestel, Hist. sac. profana, Decan. Lovan. tom. i. p. 168. The date of foundation given *infra* (Life of Dr. Conry) is 1616; and 1617 in Rev Mr. Meehan's notice of the colleges of Louvain, the inscription perhaps being slightly effaced.

† Hib. Dom. Sup. p. 817.

‡ The pamphlets written by Paul Harris are extremely rare. We have seen only the following of which the Titles are given in full: "THE EXCOMMUNICATION, published by the Lord Archbishop of Dublin, *Thomas Fleming*, alias Barnwell, friar of the order of St. Francis against the inhabitants of the diocese of Dublin, for hearing the masse of Peter Cadell, D.D. of Divinity, and Paul Harris, priests, is proved not only unjust, but of no validity, and consequently binding to no obedience. In which treatise is also discovered that impious plot and policy of the aforesaid archbishop and his friars, in supplanting the Pastors and Priests of the clergy, thereby to bring all into the hands of friars, of whose disorders and foul abuses (especially in this kingdom) something is noted. The second edition enlarged by me Paul Harris, Priest.—Printed, MDCIII."

"Arktomastix—Sive Edmondus Ursulanus propter usurpatum judicium de tribunali dejectus, et propter libellum famosum in judicium vocatus. Per Paulum Harisium Presb. 1633."

"*Frates sobrii estote*" 1. Pet. v. 8. An ADMONITION to the Fryars of this kingdom of Ireland, to abandon such heretical doctrines as they daylie publish

by the well known character both of his family and order.\* Dr. Fleming, in answer to a petition which he presented before his consecration to the supreme Pontiff, representing the wants of the Irish Church, and the state of the different seminaries established abroad for the education of Irish priests, obtained letters apostolic, dated 22nd December, 1623, absolving the students of these colleges in the usual form from censures they might have incurred, and permitting their ordination with the testimony of their superiors, without Dimissorials, without benefice, patrimony, or other title, but solely on the title of "the Irish mission," by any bishop in communion with the holy see. The Pope also dispensed in their favour with the laws regarding the time, and the proper intervals to be observed in receiving orders.† These privileges were deemed most necessary at a period when any intercourse between the Irish bishops and their subjects in foreign colleges was difficult and dangerous.

Dr. Fleming arrived in Ireland about the end of 1623.‡ In the preceding year the relentless persecution which forced his predecessor into exile, had been somewhat relaxed under Viscount Faulkland, who was instructed by the king to grant the free exercise of their religion to his Irish Catholic subjects; but the bigotry of the Protestant bishops would not tolerate any change. Rulers, they said, as well as their subjects should be zealous for God's glory, and promote the true religion by every means within their power. The magistrate is God's minister unto good, if thou art an evil-doer (who worse than a popish

to the corruption of our holy faith, the ruin of souls, and their own damnation which sleepeth not."—By Paul Harris Priest, printed 1634.

"EXILE EXILED, occasioned by a mandate from Rome, procured by *Thomas Fleming*, alias Barnwell, Archbishop of Dublin, and friar of the order of St. Francis, from the congregation of Cardinals de Propaganda fide for the banishment of Paul Harris out of the diocese of Dublin."—By Paul Harris Priest, printed 1635.

\* THE EXCOMMUNICATION, &c. L. p. 37.

† Hib. Dom. Sup. p. 875. This concession is said to have been made on the 10th July, 1626, in the letter of Gregory XVI. (10th April, 1835), which revokes, except in the Irish College at Rome, the chief privilege that of being ordained without Dimissorials. The Bishops of Cork and Kerry having felt some uneasiness about ordaining priests, "titulo missionis," consulted the Holy See on the subject, in May, 1741, and received an answer from the Nuncio at Brussels the year following (25th April, 1742), permitting each of them to ordain only twelve priests on this title after they had taken an oath not to leave the diocese or enter any religious society without the express leave of the Pope. The same faculties for ordaining six priests on same condition were given 29th March, 1770, to Dr. John Butler, Bishop elect of Limerick. The writer is not aware that other Irish Bishops have hesitated at any time, since the Indult was first granted, to promote to orders on the title of the "Irish Mission."

‡ THE EXCOMMUNICATION, &c., by Paul Harris, p. 41.



idolater?) be afraid, for he bears the sword to do vengeance on the guilty.\* Their influence was such that neither the king nor his deputy dared resist them, and accordingly a new proclamation was issued, commanding every Catholic priest, secular and regular, to fly from the country within forty days.† When the archbishop reached Dublin, these laws were in full vigour, or rather the tyranny with which they were enforced was daily increasing from the beginning of Charles's reign. We are not informed how Dr. Fleming escaped the vigilance of his persecutors, or how he discharged the duties of his sacred office in such trying circumstances. Perhaps the government did not wish to provoke the Catholic lords of the Pale by casting into prison the near relative of one of their own order; perhaps too the strong Castle of Slane was the hiding place. At any rate there is no reason to think that he left the country from his first arrival, until he had the happiness of enjoying some exemption from the wrongs and oppressions he must have suffered during the first years of his administration. When this respite came at length, other trials awaited him. Amongst the clergy officiating in the diocese of Dublin, was an English secular priest named Paul Harris, a man, judging from his own writings, of much pride of intellect, flippant and sarcastic. He appears to have felt a lively hatred of the religious orders, more especially the Franciscans, and to have amused his leisure hours by searching for heresy in their sermons and writings. This passion he could not control. He accused Thomas Strong, Guardian of the Franciscans, of maintaining false doctrine: the archbishop acquitted him, March 23rd, 1629. A petition containing several false propositions, said to be taught by the Franciscans in Dublin with the cognizance of the archbishop, was sent about the same time to the Theological Faculty of Paris, praying for their decision. Harris may not have suggested this proceeding, but when the charge was refuted afterwards and proved to be false and groundless, he renewed it with more acrimony.‡ The archbishop's autho-

\* Ussher's sermon on the text, "He beareth not the sword in vain".

—Moore's *His. of Ireland*, vol. iv. p. 171.

† Whitelaw and Walsh's *Annals of Dublin*, vol. i. p. 205.

‡ The refutation written by Francis Matthew of Cork (put to death by the Puritans in 1644,—see Wadding's *Scriptores ordinis*, Minor. p. 123), is styled, "*Examen juridicum censuræ Facultatis Theolog. Parisiensis et ejusdem civitatis Archiepis. latæ. circa quasdam propositiones regularibus Hiberniæ falso impositas.*" Auctore Edmundo Ursulano Hiberno. The propositions are so absurd that they must have been framed so intentionally: for instance,

"1<sup>ma</sup>. Prop. Hierarchia Ecclesiastica constat ex Pontifice, Cardinalibus, episcopis, et regularibus.

II. Sacerdotes sunt mere saeculares.

III. Regulares sunt veri et soli curati.

IV. Regulares possunt ministrare omnia sacramenta etiam invito parochio.

city was invoked at length, and he pronounced sentence of excommunication "against all those who should be present or hear the mass of Paul Harris or Peter Cadell, D.D.," recalling at the same time faculties for hearing confessions.\*

Harris vigorously opposed these measures, because the decision was founded on an intolerable error, no reason or motive being alleged. A charge of disobedience is too general; to it may be applied the old philosophical maxim, "*Qui ambulat in universo, intendit decipere.*" 2° A cause should be stated in the sentence, if not otherwise manifest, and the guilt of the accused clearly proved. Did God condemn Adam or Cain, or our Redeemer the woman taken in adultery without citation or proof? But neither Harris nor Cadell was ever accused, much less convicted of any crime before an ecclesiastical court. Nay, when they went on the 13th July, 1631, to expostulate, how did the superior receive them? To Harris, he said, "I will excommunicate you, if you come any more in my presence (a very sufficient cause, no doubt, for excommunication, to come into a bishop's presence), and he pulled out of his breeches a written sentence of excommunication against Peter Cadell."

Various arguments for the validity of the excommunication are then considered, particularly, that the archbishop's arbitrary proceeding was justified by the urgency of the case, that implicit obedience is always due to superior authority. What the law prescribes,

XI. *Privilegia regularium non potest Papa revocare.* Harris's reply:—"ARKTOMASTIX," undertakes to prove that these very propositions were held by Franciscans in Dublin under the eye of the archbishop.

\* "Here followeth the excommunication published by the command of *Thomas Fleming*, alias *Barnwell*, Archbishop of Dublin, considering the obstinate disobedience and continual insolency without hope of amendment of Paul Harris, notwithstanding that he hath been borne withal this long time past. As also the like disobedience of Docter Peter Cadell, to the great scandal and disedification of many Catholicks of this diocess, and to no small dishonour of the pastoral function and authority, and to the end that at length the current of their scandalous proceedings may have a stop, and not always go forward without correction. After mature consideration of their proceedings being thereby forced to perform my duty for the good of the souls of this my diocess, I have thought expedient to forbid, and hereby I do forbid, all the inhabitants of this diocess under pain of excommunication *ipso facto* to be incurred to be present, or to hear the Masses of Paul Harris and of Doctour Peter Cadell, and withal from the date of this present I do recall, and take away from them all power and jurisdiction of hearing confessions or ministering or doing any act or acts of the pastoral function whatsoever within the district of this diocess; and hereby, likewise, I do annul, and make void all absolutions henceforward by them given in this diocess, and do command henceforward all Catholics upon their peril to take notice of the premises and strictly to observe the same." Dated 6th March, 1631.—FR. THOS FLEMING.

says Harris, is submission to the just, not the tyrannical exercise of power. He quotes various examples of successful resistance, even that of Dr. Fleming himself, who stands at this day excommunicated—yea, *excommunicatus et denuntiatus*\* . . . . “Let me humbly entreat your honour, my very good lord, for I suppose that you are neither too old to learn, nor myself too young to teach; nor do I doubt, albeit, I be inferior to you in place and dignity in God’s Church; that it will neither be unbecoming my profession as being a priest, nor my white hairs as being now, Paulus *Senex*,† even Paul an old man, to teach you.” To check this insolence it was found necessary to appeal to Rome, and a mandate was transmitted to the Bishop of Meath for the banishment of Harris from the diocese of Dublin. But the secular power, he said, would alone drive him into exile. “Certes, if the Bishop of Meath’s warrant come in the name of King Charles, it will be obeyed doubtless; but if it come in any other man’s name, Paul Harris, as far as I understand his mind, is resolved not to depart; nay, if all the fathers, popes, bishops, cardinals, priests, and a general council shall command, not a foot will he remove out of the diocese of Dublin.”‡

The priest who deliberately subscribes to such a defence, ought not to complain of hard treatment from his superiors: he is condemned out of his own mouth; he protests, beforehand, against the decision of the very tribunal to which he appeals for protection.

While Harris was thus refuting his own falsehoods, and indulging his vanity in writing bitter invectives, the archbishop prudently declined any controversy or vindication of himself, and turned his attention to higher and more sacred duties. He established a seminary for the education of Catholic youth “in the face of the government.”§ He held two provincial councils, one probably about 1634, the acts of which are not extant; the other in 1640, in Tyrchoghir, county Kildare, at which his suffragans, David Rothe of Ossory, Roche M’Geoghegan of Kildare, and William Devreux, Vicar of Ferns, assisted.|| They ordered the banns to be published according to the laws of Trent, marriage to

\* Harris assigns no cause, and his statement is unsupported. Complaints were certainly made against Dr. Fleming, for showing undue favour to the priests of his own order, uniting parishes for their benefit, and excluding the secular clergy. Among the interesting original documents in the archives of St. Isidore’s, is a certificate dated Drogheda, 27th July, 1626, signed by the bishops elect of Down and Kilmore, by the vicars-apostolic of all the northern dioceses, which was sent to Rome at Dr. Fleming’s request as an answer to this charge.

† He says elsewhere he was above sixty years of age.

‡ The EXILE EXILED. Nothing further is known of Paul Harris than what is contained in these pamphlets.

§ Whitelaw, Annals of Dublin, vol. i. p. 206.

|| “Statuta Dubliniensia” (printed 1770), p. 79.

be celebrated before the parish priest,\* the twentieth part of church revenues already received by Catholics to be paid to the ordinary, and a tenth for the future. Regulars and chaplains of noblemen should not administer Baptism, or the last sacraments, without leave of the parish priest. The prelates assembled complain of the unequal distribution of students in foreign colleges founded for the common benefit of the whole Irish Church, giving to some provinces more, to some less, according to the discretion of the superiors; and they determined to sign forthwith a joint protest against this abuse. They ratified, in fine, the council of Kilkenny, 1614,† and the first council held under Dr. Fleming.

The reader who would appreciate fully the archbishop's subsequent career, must study well the history of those desperate struggles in which the Irish Catholics were engaged from the beginning of the "great rebellion" down to the confiscations of Cromwell; for on the judgment he forms of those events, will depend almost entirely his estimate of the character of individuals who had a share in them: particularly as the public interest seemed to absorb, during that whole period, every man's thoughts and energies. This is not, however, the most appropriate place to enter on so wide a field. We shall return to these subjects again, and devote a larger space to them in treating the lives of other ecclesiastics, who, owing perhaps to their ability or position, took a more prominent part in the national councils, and whose names are better known in connection with the general history of the times.‡ For our present purpose it will suffice to point out briefly what course Dr. Fleming followed, without dwelling on the motives which force us to dissent from his policy on some important occasions.

At the first general synod of the bishops and priests at Kilkenny, May, 1642, Dr. Fleming did not assist, not as it has been strangely asserted because he was averse to political strife, but probably because he felt he could serve the same cause—the defence of the lives of his people, and the public and free exercise of the Catholic religion—as much by remaining himself at home, to console and encourage the faithful of his diocese, and by appointing a delegate to represent him in the council.§ The questions under discussion in 1642 had no other connection with politics, than what is insepa-

\* Under pain of suspension should any other priest assist. The marriage would be *valid*, as the law of clandestinity was not received in Dublin until 1st January, 1828. See Appendix on the Statutes of Armagh.

† The date in the printed copies is 1624, see above p. 187; and the name for once right, "Eugenio Matthæo."

‡ See life of Hugh O'Reilly above; and specially the lives of David Rothe, Bishop of Ossory; Nicholas French, of Ferns; and Walter Lynch, of Clonfert.

§ The Rev. Joseph Everard signed the acts as "Proxy for the Archbishop of Dublin."

rable from every struggle for life and the rights of conscience. At the general assembly of the confederates—even when laymen took part in the deliberations—the archbishop attended regularly, and after being chosen one of the six delegates from the province of Leinster to the supreme council, fixed his residence in Kilkenny, in order to watch more closely the course of public events.\* He lived with his own brethren in the Franciscan convent.† He saw with delight the Catholics with a powerful army at their command, having possession of almost the whole country, except a few garrisons, up to the very gates of the capital; their cause supported by the chief Catholic powers abroad, and blessed by the head of the Catholic Church; and their enemies reduced to offer such terms now as it would have been vain to suggest to them only a year before.‡ He saw, in short, almost the only united effort of the Irish and Anglo-Irish Catholics since the invasion. Their rulers, too, saw the probable results of this union, and they determined to prevent them at any hazard. Accordingly articles of cessation proposed by Ormond and accepted by delegates from the confederation, were ratified on the 15th of September, 1643. A measure which, as Dr. Burke§ justly observes, might be said to be the source of all the evils the Catholics afterwards endured. To this cessation Dr. Fleming unhappily gave his assent, and according to some accounts took even an active part in arranging the terms—being probably induced to do so in the belief that, on the one hand, the great blessings of peace and of religious freedom would be thus secured; and on the other, that it became faithful subjects, loyal from principle, not to refuse their aid to a sovereign who would be more indulgent if he could, and who was now suffering from his supposed good-will towards themselves. The best apology for the archbishop, perhaps, is, that the course he pursued then was at variance with the whole of his former and subsequent conduct. No personal motives should have weighed in such a crisis when the Catholics had the power in their own hands to place their religious liberties beyond the reach of political intrigue, and to wrest from their hard masters the privileges withheld so long. It was a fatal error, which the confederate Catholics soon found reason to regret. When they sent a deputation a short time afterwards to the king, he received them kindly, promising to redress all the wrongs of which they complained except the penal statutes; and as he knew that no other concession would satisfy the Irish Catholics, and that he could never obtain the subsidies he sought from them except on that condition, he commis-

\* Walsh's Remonstrance, p. 608.

† He signed the petition of the confederates to Urban VIII., that the celebrated Luke Wadding might be created Cardinal, Hib. Dom. Sup. 876.

‡ Carte's Ormond, vol. i. p. 451. Hib. Dom. p. 651.

§ Hib. Dom. p. 651.

sioned Glamorgan to grant all their demands privately, in such a way that the king himself might deny, if necessary, that he gave his sanction or authority and disown the whole proceeding. For this base purpose the papers issued were informal in many respects.

On his way to Kilkenny Glamorgan consulted Ormond, and obtained his approval of the scheme, and the treaty with the deluded Catholics was actually signed in the king's name on the 25th August, 1645, by which they bound themselves to supply his majesty with an army of 10,000 men, in return for the free and public exercise of their religion. Though all possible care was taken to keep the stipulations secret, the parliament soon got intelligence of the whole plan. Ormond to save his own character, perhaps in concert with Glamorgan, detained him a prisoner in the Castle of Dublin, and the king openly denied having ever sanctioned the concessions made by virtue of his authority.\* The terms of a new treaty were then proposed by the insidious Ormond, which granted some of their privileges to the Catholic laity, but excluded the clergy from all favour. The result was precisely what he anticipated. Violent dissensions broke out amongst the confederates; some approved and gratefully accepted the terms proposed; others, distrusting, naturally, those who had so often pledged their solemn word in vain, refused absolutely to agree to any truce that did not include the establishment of the Catholic worship in all its former splendour.

In the midst of this strife the Nuncio Rinuccini arrived in Kilkenny, and his presence and counsel inspired the opponents of the Ormond faction with fresh courage. Hitherto they appealed to the solemn oath of confederation which bound them together for a higher purpose than a secret compact, that left the question of their religious freedom to be settled afterwards according to the pleasure of parliament: now they had the Pope's representative standing by their side, interpreting their obligation in the same spirit, approving all their demands, and actively resisting the cessation of hostilities until these had been granted, and secured by some pledge more binding than a royal promise. How could they rely on the fidelity of a prince who had frequently engaged to redress their wrongs when he wanted their assistance, and broke these engagements as soon as the necessity was over?

After a long struggle Ormond's influence prevailed at last; the fatal treaty with the Catholics was concluded against the repeated warnings of the Nuncio, and the dissensions among the confederates became more violent than ever. The Nuncio has been loudly censured by many writers, as the author of all the disasters that followed. The prudence of his policy after the cessation may, we

\* See the clearest proof of the falsehood of the king and his deputy in Dr. Lingard's *His. of Eng.*, notes to vol. x., reign of Charles I.

think, be fairly questioned; but that up to this time the course he pursued was wise and patriotic, such as the Irish leaders would have approved of unanimously, if not seduced by the artifices of Ormond, is beyond all doubt. At any rate, as I have already remarked, it is by the opinion we form of the general question, that we must judge of the character of individuals who joined one side or the other.

Dr. Fleming adhered to the Nuncio's party, and gave him his cordial support throughout.\* Hence, at the national synod convened by the Nuncio at Waterford,† and at the subsequent meeting in Kilkenny,‡ Dr. Fleming's name is signed in the second place to the remonstrance against the peace. And again after the advocates of the peace with Inchiquin had been excommunicated,§ he wrote from Dublin (10th June)|| to David Rothe, Bishop of Ossory, entreating, nay commanding him in virtue of obedience, to submit to the Nuncio's censures, for otherwise no bishop could hope to be respected or obeyed by his own subjects. Wherever, indeed, he had influence, he appears to have exerted it for the same purpose. Walsh complains that the Franciscan Convent of Kilkenny faithfully observed the censures while the archbishop resided there.¶

When the last treaty with Ormond (17th Jan. 1649,) had deprived the opponents of that measure of all hope, when the generous Rinuccini had been ordered to fly the country, and after the unhappy Irish had new motives to regret having ever put their faith in kings, Dr. Fleming steadily pursued, as far as circumstances would permit, the same policy as before; proving thus that his former course was not entered on from blind submission to authority, but after mature deliberation. Whether he was always right, and whether it would not have been wiser to make some compromise, we wont stop to enquire; we will content ourselves with merely stating that the best justification of those who like him reprobated the cessation on the proposed terms, will be found in the history of the Catholics from the death of Charles I. down to the close of Cromwell's usurpation.

No sooner had Charles II. ascended the throne, than he denounced the peace with the confederates as a sinful compact, of the unlawfulness of which he was convinced in his own conscience.

\* If we may believe Carte, vol. ii. p. 37, he did so more from a feeling of respect for the papal minister, than from approving his policy. Carte is too violent a partisan to trust to his representations. In the *Alithinologia*, p. 89, Dr. Fleming is said to have been influenced by the importunity of his religious brethren.

† 12th August, 1646, Burke's Hib. Dom. p. 657.

‡ 27th April, 1648, Hib. Dom. Sup. p. 890.

§ 27th May, 1648, Walsh's Remon. Appen. p. 34.

|| See the letter, Hib. Dom. Sup. p. 897.

¶ Walsh's Remonstrance, p. 608.

He declared, moreover, his fear and abhorrence of all popish superstitions and errors, and his resolution never to tolerate them in any part of his dominions. The Irish saw themselves again betrayed without an army at home, and without any hope of foreign aid. They determined to take counsel together, and met for that purpose in the ancient abbey of Jamestown, on the banks of the Shannon, 12th August, 1650.\* In the declaration drawn up in that assembly against the continuance of his Majesty's authority in the person of the Marquess of Ormond, they charge him with misgovernment, civil and military; with violation of the articles of peace after the Catholics had supplied him with vast sums of money, and after they had shed their blood and lost their substance in the royal cause. The bishops decided also, "That the people are no longer obliged to obey the orders and commands of the said Lord Marquess of Ormonde, but are (until a general assembly of the nation can be conveniently called together) unanimously to serve against the common enemy, for the defence of the Catholic religion, *his Majesty's interest*, their liberties, lives, and fortunes, in pursuance of the oath of association."† To give more weight and authority to this declaration, they added a formal sentence of excommunication against all who should oppose it.

Dr. Fleming was chosen one of the six commissioners appointed at this meeting, to decide on the best measures for the public safety, and the interests of the Catholic religion. He was not, however, present himself; his suffragan, Dr. French, acted as procurator. The commissioners retired to Galway, and delegated their powers to the Bishop of Ferns and Hugh Rocheford, Recorder of Wexford,‡ empowering them to enter into treaty with any foreign prince for assistance, and promising to sanction whatever measures they suggested.

As the royalists were now reduced to the last extremity, Ormond convened another assembly of the prelates at Loughrea, ostensibly for the purpose of vindicating their former proceedings at Jamestown, but in reality to claim their assistance against the common enemies of the king and Irish people. The Catholic leaders were not deceived by this artifice. They made, indeed, a solemn protest in the first place, that they never presumed to usurp the temporal authority, or to interfere with the just rights of the sovereign; their only object being the preservation of the Catholic religion and people; but they repeated their accusations against Ormond, and requested him to entrust the government to some other nobleman, faithful

\* *Four* archbishops and sixteen bishops attended the previous Synod of Clonmacnois, 4th December, 1649.—*Alithin*. p. 66.

† *Walsh's Remonstrance*, Appendix, p. 69. *Carte*, vol. ii. p. 128. *C. Butler's Memoirs*, vol. iii. p. 408.

‡ *Hib. Dom.*, p. 693.



to the king as they acknowledged him to be, but more acceptable to the people.\* It was a hard task to impose upon any man, to be his own accuser before his sovereign, but not too hard at the hands of those who had been so often and so shamefully deceived.

This was, I believe, the last united effort of the confederates, and the last act of Dr. Fleming's public life. How or where he passed the rest of his days is not known. It is likely he remained concealed with his own family during the reign of terror under Cromwell. Dr. French, Bishop of Ferns, mentions him among those who died at home "*Qui diem obierunt in patria.*"† The date of his death may, we think, be placed about 1656.]

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### JAMES DEMPSY. V.A.

JAMES DEMPSY was Vicar Apostolic of Dublin, and Vicar Capitular of Kildare in 1661. From the first appearance of the Remonstrance in Ireland, he strenuously opposed it. Ormond sent for him in 1664, as also for Dr. Daly, Vicar-General of Armagh, and some of the Jesuits, ordering them, no doubt, to appear at the council board, and requiring them to subscribe Walsh's Remonstrance.‡ This noted formulary had been before this year censured by the University of Louvain, and reprobated by Cardinal Barbarini, and two Internuncios at Brussels. On the other hand, Ormond and his government were insisting on it so much, probably on that very account, that they had imprisoned a vast number of the leading clergymen in different parts of the country, for refusing to subscribe it, though under various other pretexts.

Dr. Dempsy formerly refused to subscribe the Remonstrance of Walsh,§ not because it contained a declaration of allegiance, but, because it was couched in offensive and schismatical language. Dr. Daly and the Jesuits also refused. For the present, they were dismissed without punishment, but, no doubt, it was only to make their incarceration legally, and pro forma be grounded on some statute, for the Remonstrance was not ordered by law. But, so far was he from hesitating to declare his allegiance, that he drew up a form of oath of allegiance himself, more strong and expressive on that point, than that contained in the Remonstrance he refused to sign. This form of allegiance he presented to Ormond, April 1st, 1664, at the castle, in the presence of Lord Dillon and Milo Power, Esq. It ran thus: "Forasmuch as we cannot own any authority whatsoever, that may be pretended in any way is, neither spiritual

\* Walsh's Remonstrance, Appendix, p. 137. Carte's Ormond, vol. ii. p. 136.

† Hib. Dom p. 489.

‡ Walsh, Remon. p. 493.

§ Walsh, Remon. p. 493.

nor temporal, derogatory from the right, power, and authority of his now Majesty, Charles II. and his lawful successors, we do, therefore, engage ourselves to expose our lives (if, and as often as occasion shall require), in defence of his Majesty and his lawful successors, their persons, crown, authority, and dignity, against any prince, potentate, or power, spiritual or temporal whatsoever, who shall by force of arms, or any other way invade any of his Majesty's rights, or authority, or dignity, in any of his dominions; and particularly we shall oppose, to the utmost of our power, all attempts whatsoever tending to the depriving of his Majesty of any of his rights, kingdoms, or dominions, or the *lessening* of his dignity, right, or authority, in the government thereof."\*

Dr. Dempsey was afterwards, in 1665, found by Walsh in Dublin, having gone there on some business, and brought to a conference at Walsh's lodgings with Dr. Plunkett; Dr. Daly, Vicar-General of Armagh; Dr. Dease, Vicar-General of Meath; and Walsh himself. Here Walsh vehemently pressed them to summon a national congregation of the clergy to debate and sign the Remonstrance, fixing on Dublin as the place, and Candlemas the time for holding it. Dempsey, if not the only one, was far the most forward in daring to disagree from Walsh. He opposed and argued against the holding such an assembly at all at this time. Walsh had opposed it before when it was asked, and now when inconvenient he ought not force it upon them. He most particularly objected to its being held in Dublin, where the fathers, being in a special manner in the power of their enemies, could have no freedom of debate; and for the same reason he objects, though not so strongly, to any other city, fortress, town, or garrison. He wished it to be far from such influence.† The only point he succeeded in obtaining, was to change the time from winter and Lent to the 11th June, in which his views were adopted by the two other Vicars of Armagh and Meath. Dr. Dempsey was one of the four that signed the letter of Induction to that synod—he attended it himself, and persevered in a firm, prudent, and undaunted opposition to Walsh. Enough to say of his talents, learning, and piety, that though he was the most unpromising of Walsh's opponents, yet, that foul mouthed writer dares not insinuate a charge of ignorance, misconduct, or disloyalty, or indeed any other offence but his opposition to himself. We are indebted to his zeal for some useful laws drawn up in a diocesan chapter held by him on the 26th May, 1665.‡

\* Walsh's Remonstrance, p. 492.

† Ibid. p. 571-2.

‡ Statuta Dublinien, p. 79.

## PETER TALBOT.

PETER TALBOT was a member of that ancient and very illustrious family, that bore the titles of Earls of Wexford and Waterford in Ireland, Earl (at one time Duke) of Shrewsbury in England, &c., &c. His father, Sir William Talbot, lived at Malahide and was the ancestor of the present Lord Talbot of Malahide; Colonel Richard Talbot, Earl and Duke of Tyrconnell, and Lord Lieutenant of Ireland, was a younger brother of our prelate.\* Peter was born at Malahide, in the County of Dublin, in the year 1620, and after having been educated as suitable to his rank as a Catholic could in these days of uncivilizing persecution, he felt a heavenly impulse strongly urging him to renounce the wealth and honours of the world at the foot of the cross, and to embrace the poverty, the persecutions, and the sacred ministry of Jesus. He was accordingly sent ever to Portugal to be trained up in the spirit, and to acquire the learning necessary for the ecclesiastical state, and was there received in the year 1655 into the Society of the Jesuits. Having finished his course of philosophy under the Jesuits in Portugal, he was sent to their college in Rome, to acquire in the capital of the Christian world greater knowledge of Scripture, Theology, and Law. After a long course of probation he received the holy order of priesthood at Rome; returned soon after to Portugal, and was sent by his superior to teach Moral Theology at Antwerp.†

While Talbot was here enjoying the peaceful pursuits of a collegiate life, his native country was agonizing under the bloody ferocities of Cromwell's army, and England was being disgraced by the murder of one king and the banishment of another. Charles II. fled to Paris, whence he removed to Cologne in July, 1655, after the conclusion of the treaty between the French court and Cromwell. His majesty now turned his thoughts on engaging the Spanish court to assist in his restoration. Talbot possessed a great deal of influence with many of the Spanish ministers in Flanders, and particularly with the Count de Fonsaldagna, who at that time was the actual governor of the country, though the Archduke Leopold enjoyed the title. His old and special intimacy with Father Daniel Daly, *alias* Dominick a Rosario, a native of Kerry, and then the ambassador of the King of Portugal at the Court of France, besides the vast power and influence of the society to which he belonged, enabled Talbot to be of incalculable service to Charles in the days of his distress. He frequently visited his majesty at Cologne, and was always honoured with the most gracious and friendly reception. Conversation, after some acquaintance, often turned on the respective merits of the Catholic and Protestant religion. If the king was willing to learn, Talbot was able and willing to

\* Carte's Ormond, vol. ii. p. 384.

† Life in Bibliotheca Patrum S. J.

teach; and so deep was the impression made on the conscience of his majesty, that after a secret conference of some days, he at length shut himself up with our professor in his closet for several days till his conviction was fully completed, and every doubt removed from his mind. Charles, however, was not a man who would forfeit a crown to follow his convictions. He knew how much the English mind was maddened by the spirit of bigotry against the Catholic Church, he knew the character of Ormond and the others that surrounded his person, he probably saw that these calculating royalists might believe that his conversion would mar their projects for the settlement and partition of Ireland: and he therefore determined to be received into the bosom of the Catholic Church as secretly as possible, and afterwards, and then only, to absent himself from Protestant communion, but to make no declaration of his religious opinions. Talbot had thus the pleasure to witness his solemn renunciation of the errors of Protestantism, and to receive him, after a formal profession of faith, into the Catholic Church, and no doubt to administer to him the holy sacraments. The royal convert persevered for a few years. But afterwards his absence from Protestant service had been jealously remarked by his ministers, and the secret of his conversion was not only whispered on the continent but reported in England; when the boasted and amply rewarded loyalty of his Protestant supporters chuckled at the fact, and called for its denial or an open profession of Protestantism. Charles with characteristic inconstancy dissembled, denied,—renounced the convictions of his heart with the same readiness as he pledged his honour or his oath at different times, to support and to repudiate the Irish peace, the Scotch covenant, and the English Church. Talbot's labour, however, was not lost either to the country or to the unhappy king. His majesty, though a weak and ambitious man, was a sincere convert, and if he dared would have proved that sincerity through life, which he evinced at his death. When the earthly crown could no longer be held, Charles made an anxious effort to seize on a crown in heaven. He sent for Father Huddleston to receive him again into the Church, and to prepare him for eternity. He needed but little instruction—Talbot had supplied that want: his repentance had every appearance of being intense and fervent; he received the last sacraments with piety, and died a Catholic.

King Charles, soon after his conversion in 1635 or 6, dispatched Father P. Talbot on an embassy to the Court of Spain. The purport of this embassy was studiously concealed from his Protestant ministers, and hence some of them afterwards suspected that among other things, Talbot was authorized to communicate to Philip IV. the fact of Charles's reconciliation to the Catholic Church. Repeated marks of such exclusive confidence excited in the breasts of the Protestant courtiers strong feelings of anger and jealousy against the Jesuit Talbot, which was heightened into rancorous hostility

when they ascertained their master's change of religion. But Talbot's avowed anxiety to secure to the Irish Catholics the terms of the peace of 1648, and the restoration of the estates seized by the Cromwellians, made them consider him not so much a rival in royal favour as an opponent, who if not speedily crushed might eventually dislodge them from their places and blight all their prospects of wealth and rapine. A set was accordingly made on him, and the king's ears were beleaguered on all sides. But the most unrelenting and calumnious of his enemies was Sir Edward Hyde, afterwards Earl of Clarendon, who seems to have entertained some previous hostility to all his family. Few men in Ireland had been more devoted to the cause of Charles I. or to the Ormonian party than Sir Robert Talbot, the eldest of the brothers; to his obstinate zeal for Ormond he sacrificed the favour of the Catholics, his liberty (for he was imprisoned as well as his brother Richard for six months, by Cromwell), and a very large portion of his property. Three of the brothers followed Charles II. into Flanders, and all five worked incessantly at home and abroad to promote his restoration. Yet, so early as January, 1655-6, Sir Edward Hyde, then Ambassador at Brussels, took great pains to speak slightly of their services, to insinuate suspicions against them, and to undermine their credit and the confidence they enjoyed with Sir Henry de Vic, the Marquis of Ormond, the Prince de Condé, &c. But from that period, which was not long after the king's conversion, to the restoration, and even till the chancellorship was taken from him in 1667, this able, but bigoted statesman entertained a virulent hostility to Father Peter Talbot, and took incredible pains to ruin his reputation with the court and the public. Repeatedly did he pressingly write to Ormond, "if the Jesuit be not sent to a remote monastery, and kept close from further activity, I know not what to think of it—if you do not cause him to be sent to his monastery you are much to blame," &c. At one time he submits to some high functionary his own opinion and advice about him; at another, he fills a state letter chiefly with whatever whispers or 'stories' he could scrape together, and after detailing what he calls 'stories,' tending to raise suspicions against the loyalty or discretion of Talbot, with some appearance of a wilful calumniator, he avoids referring to his informant, or pledging himself to their truth, and yet artfully endeavours to gain them credit. So violent was the excess of the chancellor's resentment, that he refused not to stoop for its gratification, to the meanest artifices of conjectural calumny and insinuation, nay, of known falsehood. "I have *some reason*," he says at one time, "to think he has lost his influence with the ministers of Spain, Don Alonso and Don Caracena; and, he has good luck if he can keep his interest with Don Lewis de Haro." At another time, he tries to prove that the Jesuits would be gratified by his disgrace at court. But amidst all this Hyde's personal hostility became so notorious, that few men

of character believed his invectives. Sir Henry Bennet had the candour to tell him, that he believed Talbot was useful to the king's service, and that he himself was annoyed at Sir Edward's frequent advertisements to be cautious against him. The chancellor complained to Ormond of this incredulity, and wished him to alter Bennet's opinion. But he had soon the mortification to learn, that though the marquis wished not to give him offence, yet he not only did not believe his stories, but was preparing to confer a favour on Talbot, to which the chancellor's disappointed spite could only reply, "I shall not at all be troubled at any good fortune Peter Talbot meets with." It is much to be regretted that Harris and others did not attend to these circumstances before they circulated on the primary authority of Clarendon as positive facts, what, through fear of shameful detection, his most daring enmity could venture only to insinuate or to call suspicions and 'stories.' Talbot, in truth, could not desire a more decisive proof of his fidelity to the king and of the purity of his character generally, than that such a man could not hazard his own character by imputing to him any real offence.

On one occasion, however, his enemies succeeded in raising suspicions for a little while against his loyalty in the minds of King Charles and his minister Ormond. On the death of Oliver Cromwell and the submission of his two sons, April, 1659, the Spanish ministers who were previously pledged to the restoration of Charles, apprehended that the republican party would gain the ascendancy in England. To obviate this evil, they, without consulting Charles, dispatched Talbot to London, with directions to unite the friends of Spain and of the king, in preventing so perilous an event. The king, and his friends in England became jealous that the object of this mission had not been communicated to his Majesty, and soon began, at the suggestion of Clarendon, to suspect that Talbot came over to negotiate the terms of a peace proposed at that time by the Commonwealth to Spain. Talbot took every means of disabusing the friends in London, told as many as could be trusted his real design, and assured them Spain would not on any terms conclude a peace. The slanderous Friar, P. Walsh, was then at London and preparing to go over to Brussels. To this slanderer also, Talbot imparted his secret, and charged him with letters to Ormond acquainting him with the whole plan, and adding, that "time would prove his honest fidelity to his royal master. For that he was then about (September, 1659,) going to the conference of the Pyrenees, where, in spite of the endeavours of Sir William Lockhart, England would *not* be included in the general peace." Time did prove his honesty, and restored him to his former favour and confidence with king. During his passage across the channel to France, if any truth can be gleaned from the 'stories' of Clarendon, he endeavoured to gain over Colonel Bampffield, an envoy of the Commonwealth, and renewed his efforts when they

arrived in Paris. When he reached Fonterabia, he called on the English Resident there. This officer kindly intimated to him, that he had heard several suspicions and rumours, but that he could require no assurance of the contrary but his word, which he knew him too well to disbelieve, adding that he also knew how much the parties that circulated these reports had mistaken or misstated his conduct in Flanders. Talbot returned his confidence by shewing him all his papers, and assured him that Don Lewis de Haro, the Spanish Minister, would credit his representation of the state of England, even though Don Cardenas and Caracena should state the contrary. The Resident was not only perfectly satisfied, but when the king soon after came to Fonterabia, he and Don Lewis satisfied his majesty also, of the important services rendered to his cause by Talbot in the very transaction in which alone he had ever suspected him.

This affair being cleared up, and being again restored to the confidence of the king and of Ormond, the latter was very glad to avail himself of Talbot's influence at Madrid, in order to obtain a pension long since promised him by Spain but never paid. Talbot was eminently successful. He remitted Ormond from Burgos, in one bill, £3,800. Immediately after this, he returned through St. Sabastian and Fonterabia to Bourdeaux, where he arrived May 19, 1660. The following day he wrote again to Ormond, informing him that the ministers of France and Spain had agreed to take on themselves the restoration of King Charles by force of arms, if his subjects would not receive him otherwise; but that they would "demand liberty of conscience for Catholics, and would desire and insist on the restoration of the Irish nation to their estates, as a thing conducive to his Majesty's future security, and in which the honour of these Catholic crowns and the expectation of all christendom was concerned."

During the summer of 1659, which Talbot spent in London, he dissevered his connection with the Jesuits, and withdrew from that celebrated society. He tells us himself how this occurred. Father R. Barton, the Provincial of the society in England, and his companion, F. Grey, delivered him a message from the Most Rev. Father General of the order, to depart from England instantly, but offering him a professor's chair in any other province or college he should please to select. Why this extraordinary and peremptory order had been given Talbot does not explain: but as it issued at the very time that the Chancellor Hyde was misconstruing the design of his visit to England, and as in one of his state letters it is said to have been given "out of pure zeal to his majesty's service," and that Peter Walsh so often says it was done at the desire of a certain great personage; there can be little doubt that either the chancellor, or Ormond, or the king himself procured this command. At all events, the unexpected message embarrassed Talbot exceedingly.

He was fond of the society and they of him ; he had made a promise of professing in the order, but he saw, as he tells us, that through his whole life he could never expect to do as much for his God, his religion, his country, and his king, as he then had an opportunity of doing by remaining a few months in England and executing the commission he had received from Spain. The Provincial allowed him some time to think on the matter. He consulted among others Father P. Walsh, who advised him to renounce the society, and assured him that he was authorized to dispense him from the simple vow.. Talbot believed him, followed his advice, and left the Jesuits' Society.

It may not be unnecessary to notice briefly the slanderous mistakes into which the industrious Harris has fallen in writing the history of Talbot—mistakes similar to those which Harris's virulent prejudices led him to commit on almost every subject connected with the religion or clergy of Catholics. "Talbot," says Harris on the authority of his "Foxes and Firebrands," "was intimate with Cromwell himself, walked at his funeral in a mourning cloak, which he wore for some time after in public, as was then the fashion—when General Monk declared for the king, he marched out with Lambert to oppose the design—and fled the kingdom on the Restoration." Harris's "Foxes and Firebrands" may supply a reference, but surely not an historical authority. On the contrary see the officially authenticated facts. Instead of Talbot's being intimate with the usurper, and being in London from before his death till after the restoration, the Lord Chancellor, Sir E. Hyde, informs the the Marquess of Ormond in a state letter dated October 11, 1659 (seven months before the restoration), that he had left England some time before. In another dated October 25, he tells Ormond that he was then in the neighbourhood of Bayonne, and we have still extant his own letters to Ormond and others from Spain and France, all along from October, 1659 to May 20, 1660, only three weeks after the real and formal restoration of Charles. Talbot never even saw Cromwell, for Harris himself allows he went to the continent in 1635, being then but fifteen years old, and did not return to England from that date till, as he writes himself, he was sent over by Spain *on the death of Cromwell and the submission of his two sons*, which was about seven months after the usurper's funeral. Harris's whole story, is, then, but a tissue of calumnious mistakes.

The important trusts committed to Talbot's management by the ministers of the English king did not allow him to depart on a sudden from the continent, in order to enjoy the triumph of the king's restoration. In the course of a few month's, however, he extricated himself from his continental relations and came over to the English court, where he appears to have been graciously received, about the same time that the Queen Dowager and the Princess



Henrietta arrived there. On the king's marriage to the Infanta of Portugal he was appointed one of the queen's almoners, officiated in her family, and became one of her household. But the Lord Chancellor, now Earl of Clarendon, who had laboured most strenuously, but in vain, to prevent this appointment, found means through the Marquess of Sandby, the Portuguese Ambassador, to deprive him soon after of this situation, which he valued more for the security it afforded him in the exercise of his ministry, and as a recognition of his past services and the royal esteem, than for the honour or emoluments it conferred. Could his charitable soul delight in revenge it might have been fully gratified, when he saw that same chancellor that very year impeached for treason, and when a few years after he saw him deprived of the Great Seal, impeached a second time for high treason, obliged to fly from trial to France, and the parliament issuing a decree of perpetual banishment against him, and ordering his defence to be burned by the common executioner. At all events, Talbot on witnessing the ways of Providence, must have felt with David, "*Dominus protector vitæ meæ, a quo trepidabo? Qui tribulant me inimici mei, ipsi infirmati sunt et ceciderunt.*"

Dr. Talbot's merits, however, were more duly appreciated on the continent, and particularly in Flanders, where he had spent the far greater part of his maturer years. The unbending integrity of his past career was as demonstrative of piety and high principle, as it was badly suited to promote views of ambition, or to secure to him the patronage of any powerful party. The vehement zeal and obstinate adherence of his family to the Ormond policy and the peace of 1648, made him an object of suspicion to the ultra-Catholic party, and stimulated the friends of Rinuccini to endeavour to procure his expulsion from the Jesuits' College at Rome, when he went to study there formerly. His zeal to promote the Catholic religion, and his persevering efforts to serve his country, and to prevent that wholesale spoliation effected by the miscalled Act of Settlement, drew on him the furious hatred of many of those who were wholly intent on enriching themselves by the plunder of the Irish estates. But though Talbot had no partisan friends in Flanders, neither were there many at this time whom his zeal in obstructing plans of iniquitous spoliation could make his enemies.

In the year 1664 he received a letter from the Internuncio at Brussels, offering to have him appointed by the Pope to an Irish bishopric and requesting his acceptance. He immediately showed this letter to Peter Walsh, the Friar, in whom he still continued, unfortunately, to repose too much confidence, telling Walsh at the same time, that he would not accept the mitre without the approbation of Ormond, who was then Lord Lieutenant of Ireland, and that upon the whole he was personally very indifferent whether it was given or not. Walsh's ambition was grievously disappointed.

The sees of Dublin and Armagh were at this time vacant. Walsh had confidently calculated on being promoted himself to Dublin through the influence of Ormond, and expected that Armagh would be conferred on his friend Caron. It was obvious that these two vacancies would be filled up before any of the less important sees; and hence, as soon as Walsh heard the secret of his confiding friend, he saw at once that he must either prevent at any cost the appointment of Talbot, or have his own hopes of promotion blasted for ever. Walsh's resolve was soon taken. That same day he went to Ormond, then in London, and told him that he had discovered a plot which the Talbots (meaning Peter and his brothers) had laid to assassinate his Grace. Ormond believed or pretended to believe the story, and instead of approving Talbot's appointment to the mitre, imprisoned his three brothers. When the matter was examined at the trial of the Talbots, Walsh could bring no proof of his charge, but that he inferred the design from a saying of one of the brothers; but he could not recollect whether it was Peter or Thomas. They were of course declared innocent, but the story served a purpose. The desolate Church of Ireland was deprived for a while of a bishop, and Robert Talbot of his estate, and his ten years' salary for an agency given him by parliament.

Various causes combined about the year 1668 to induce the government to connive at the appointment of a few bishops to some of the many vacant sees; and thus the episcopal hierarchy, reduced for some years before to three individuals (as was noticed in the history of the primates of Armagh), was saved from utter extinction. Dr. Talbot was the first person, or among the first, chosen by his Holiness, and was nominated to the archiepiscopal see of Dublin. How little he ambitioned this arduous but important station, may be inferred from the fact, that no sooner did he learn that his promotion was intended, than he went to Father Joseph Simons, the then Provincial of the Jesuits in England, and offered him, and through him the Most Rev. Father Oliva, the General of the order, to re-enter the society, if they deemed that course more conducive to the interests of religion. But these Fathers considering the invaluable services a person of his talents, information, and family influence was likely to render the Catholic cause in Ireland, not only renounced their claim upon him, but used all their influence to forward his promotion to a see, and in particular to that of Dublin. When the bull of his appointment arrived, Talbot in order to avoid publicity, went over privately to Flanders, and was consecrated at Ghent, near Louvain, on the 2nd of May, 1669. The letter returning thanks, which the new archbishop wrote soon after to General Oliva for the interest he took in his promotion, and the usual expressions of official civility contained in Oliva's reply, have been eagerly seized on by P. Walsh. By quoting a few warm expressions, and fastening on them by dark insinuations a distorted sense,

he tried to cheat the ignorant into the belief, that Talbot was raised to the archiepiscopal throne by the influence of the Jesuits, and for the sole purpose of crushing his Remonstrance and its advocates. But besides that Talbot has ably evinced the absurdity of the calumny based upon the merely *routine* or formal politeness of these matter of course letters; the highest authorities state that his talents, learning, piety, zeal, and the services he had rendered to the Catholic and royal cause in England, Ireland, and the continent, were the motives that led Clement IX. to call and make him his brother.

Dr. Talbot lost no time after his consecration in visiting his diocese. It had been now thirteen years deprived of a bishop, and the extreme old age of Dr. Fleming must have been able to afford it little succour, during the last seven years of his life spent in concealment. A people whose religion and morals were just after being exposed to the dangers of a ten years' civil war, to the horrors of Cromwell's devastation, the fanatical persecution of his followers, the irritating ingratitude of the restored king, and the legalised spoliation of the Act of Settlement, presented a large field for the exercise of episcopal zeal, and required all his attention and activity. Our archbishop wanted neither the energy, nor zeal, nor abilities fitted to the occasion. On visiting the diocese he found that the Very Rev. James S. Dempsy, the Vicar Apostolic, who had provided for its administration during the vacancy, had been necessitated to admit persons of inferior literary qualifications to the pastoral charge. To remedy this evil and promote learning among the clergy, Talbot held a diocesan synod in August, 1670, wherein it was enacted, that all the parishes or benefices should be disposed of in future by *concursus*—to the most successful answerer; and that all the parochial clergy should be examined within a month, and prove their competency for the care of souls or be instantly deprived thereof. He also commanded that each clergyman should give catechetical instruction on every Sunday and Holyday, not only to the children but the people at large. The following March he convoked a second synod, in which other regulations were enacted for reforming the manners of the laity; [specially that no Catholic should attempt to marry a Jew or infidel under pain of excommunication, that the banns should be solemnly published before marriage, and that any of the faithful who dies without receiving the last sacraments through his own fault, should be deprived of Christian burial.\*

A full account has been given already of the dispute regarding the primacy, which arose at the National Council of Dublin, 1670.†

\* *Statuta Dubliniensia* (1770), p. 80–1; and the note above, p. 188.

† p. 67. "The first occasion of the difference between the Archbishop of Armagh and the Archbishop of Dublin, concerning the precedence and other points of superiority and jurisdiction, happened in a meeting of all the arch-

It is only necessary to add here, that Dr. Talbot seems to have been convinced of his own right, and of the advantages to be expected from Dublin being the primatial see, without any view to personal ambition. In the preface to his able work "*De Primatu Dubliniensi*,"\* he tells us he engaged in the controversy from a sense

bishops and bishops of the Roman Catholic profession in the month of June, 1670, in Dublin, where they were subscribing a Remonstrance of their loyalty to be presented to his Excellency Lord Berkeley, each of them refusing to subscribe subsequently to the other"—"*Jus Primatiale*, or the ancient right and pre-eminency of the see of Armagh above all archbishops in the kingdom of Ireland, asserted by O. A. T. H. P. (Dr. Plunkett), printed in the year 1672," p. 1. "And as I was informed by a person of quality who was present at the aforesaid meeting, the Lord Primate made a fair and peaceable offer to the Archbishop of Dublin, whereas he remitted the decision of that controversy to the archbishops and bishops, and assured the Archbishop of Dublin that he would stand to their arbitrament; but my Lord Archbishop would not accept thereof, or listen unto any moderate advice of reason, which makes me call to mind that there are many who *quidquid volunt, valde volunt*, especially when they have any colour for their pretended right, and therefore his lordship did choose rather to write to Rome his reasons, than to have them discussed by his brethren; whereof my Lord Primate being informed, he sent likewise to Rome the motives and reasons the see of Armagh had for its superiority over all the archbishops and clergy of Ireland: both their writings being perused by the Pope's secretary, Monsignor Baldeschi, Archbishop of Cæsarea (as a credible author related unto me, who was then present), the said secretary spoke these words, *L'Armacano sta a cavallo*, that is to say, that his reasons were more prevalent: and in my opinion the Archbishop of Cæsarea delivered a true sentence."—*Ibid.* p. 5.

\* The full title is "*Primatus Dubliniensis vel summa rationum quibus innitur Ecclesia Dubliniensis in possessione ac persecutione sui juris ad primatum Hiberniæ.*" Insulis. Ex officina Nicolai de Rache sub Bibliis aureis 1674. It was so scarce even in Dr. M'Mahon's time, that he found great difficulty in procuring a copy (*Jus Primatiale Armacanum assertum per H. A. M. T. H. P. anno 1728*, p. 1). It will be perhaps interesting to the reader, therefore, to learn the arguments on which Dr. Talbot rests the claims of Dublin. The conclusion of his work, p. 83, contains a summary of them all under the following heads. 1. To establish a primacy is, according to the canons, merely to confer the pallium on the chief city of any kingdom *as such* (a false notion, on which, however, the whole proof depends). 2. Before the time of Eugene III. there was no pallium, and therefore no primacy in Ireland, as attested by St. Bernard and St. Malachy. 3. Dublin was then and is still the chief city. 4. Eugene III. granted the pallium to Dublin as being the chief city, and with it the primacy. 5. Dublin was by that act exempted from the jurisdiction of Canterbury, to which alone it was subject before. 6. Dublin was even under the Irish kings a more important city than Armagh. 7. St. Patrick was Apostle and also Patron of Ireland, but not primate. 8. No bull can be adduced to prove the primacy of Armagh. 9. The supposed bull of Urban IV., in the year 1263, to Patrick O'Scanlan is a forgery. 10. Letters of Edward III. approving it were recalled. 11. The Popes

of duty, believing he was bound to vindicate the privileges of his own see, which had been denied by the Archbishop of Armagh not only at that synod, but in a treatise he had published on the same subject in 1672. If then harsh or bitter expressions are applied by Dr. Talbot, in his own defence as he thought, or if his claims seem quite unfounded, it should be remembered that the style of controversy in those days was less opposed to this asperity; that he expressed his readiness always to abide by the decision of the Holy See; and that he wrote an humble apology from the prison in which he was soon to die, asking Dr. Plunkett's forgiveness for any fault or excess of which he might have been guilty.\* Prelates, distinguished for piety and learning, have sometimes warmly defended mistaken views from the purest motives.

From the time of Dr. Talbot's appointment to the see of Dublin, his supposed influence in the English court, his uncompromising opposition to the intrigues of the Remonstrants, and his jealous discharge of his sacred duties, exposed him to the calumnies and bitter hostility of a large party in Ireland. The Protestants were indignant because he had the courage to exercise his ministry publicly, a thing unheard of since the Reformation; and some timid and serving Catholics thought him too imperious and bigoted. But what created the greatest alarm in their minds was the power he exercised through his brother, Sir Richard Talbot, over the 'new deputy—a power dangerous both to those who refused to submit to his spiritual authority, and to those who denied his right to exercise that authority freely. In order to injure Dr. Talbot's character, both parties conspired against him. He was charged particularly with the design of introducing, contrary to law, "Popish Aldermen" into the corporation of Dublin, and of reversing the Act of Settlement. Of course the Protestants were excited beyond measure at the thought of losing their ill-got possessions, and they appealed to the English parliament for protection.

An address was accordingly presented to the king, requiring

when asked refused to confer this dignity on Armagh—Innocent II., for instance, acted thus towards St. Malachy. 12. There are good reasons for granting the primacy to Dublin, that being more acceptable to the civil government. 13. Armagh enjoyed only a nominal superiority; the bulls of Innocent X. to E. O'Reilly, and of Clement IX. to O. Plunkett are not genuine, and the Armagh registers are full of errors. He concludes with a petition to the Holy See, "*Humiliter petimus juris nostri confirmationem*," as if the treatise were written chiefly with a view to the decision at Rome. In Dr. M'Mahon's "*Jus Primatiale*," the several arguments urged by Dr. Talbot are fairly stated, and refuted one by one; and indeed anticipated for the greater part in Dr. Plunkett's work.

\* *Jus Primatiale Armac.* p. 217, Dr. M'Mahon says he learned this interesting fact from "R. R. Edwardus K——s, et celebris Dublinii pharmacopola Dominicus Ryan."

“that his majesty would give orders that no Papist be either continued, or hereafter admitted to be judges, justices of the peace, sheriffs, coroners, mayors, sovereigns or portreeves in that kingdom; that the titular Popish archbishops, bishops, vicars-general, abbots, and all others exercising ecclesiastical jurisdiction by the Pope’s authority, and in particular *Peter Talbot*, pretended Archbishop of Dublin, for his notorious disloyalty and disobedience and contempt of the laws, be commanded by proclamation to depart forthwith out of Ireland and all his majesty’s dominions, or otherwise to be prosecuted according to law; that all convents, seminaries, and Popish public schools be suppressed, and the regular priests be commanded to depart under the like penalty; that no Irish Papist be admitted to inhabit in any corporation of that kingdom; that all the Irish Papists might be disarmed, and no Papist be either continued or admitted to be a commander or soldier in that kingdom.”\* In consequence of this edict Dr. Talbot was banished the kingdom about the beginning of 1673; but to show how unjustly he has been accused of treason and turbulence not only while he lived, but long after his death by faithless historians,† we thought it useful to give here the *whole* pastoral letter which he wrote during his exile.]

THE DUTY AND COMFORT OF SUFFERING SUBJECTS,

*represented by Peter Talbot in a letter to the Roman Catholics of Ireland, particularly those of the city and diocese of Dublin.*

DEARLY BELOVED IN CHRIST,

I should be very sorry there were any just reason to believe that since my departure from that kingdom any endeavours have been used to instruct you otherwise than I have done, as to the inviolable duty and obedience you owe to his majesty’s government, and the laws you live under. And though your former unanimous and humble acquiescence to my constant doctrine in this particular will not permit me to have the least doubt of your loyalty and peaceable behaviour, yet because adversity is a strong temptation, and temporal necessity the most forcible of all motives to our corrupt nature, I thought fit to arm your soul against all such assaults, by summing up in this epistle the substance of what I have so often inculcated unto you by word of mouth in my exhortations.

I hope you remember that I always endeavoured to print this great truth firmly in your minds, that the happiness of man in this present state, consists more in possessing the riches of a good conscience than the conveniencies of this world. Good and bad fortune (as they call them) are but improper nick names and foolish notions,

\* Carte, vol. ii. p. 439; Leland, vol. iii. p. 466—London, 1773, 4to.

† Carte—Leland, *supra*; Harris’s writers, Book I. p. 192.

if by that language be meant riches and temporal prosperity. Tis the depraved condition of human nature which makes us affectionately covet and unresignedly resent the loss of such advantages, which are of their own nature of too base an alloy, and of too mean and low a pitch of worth, for a soul sprung from heaven and winged by Christianity to fly at. The apprehension we frame of our greatest and most important concerns of eternity and of the proper means for its attainment are so dim, for want of rendering our faith lively by attentive consideration, that we are apt to miscall that *persecution*, which is indeed a *sweet providence* of our heavenly Father, and to imagine that poverty and other marks of predestination are so many misfortunes which make us miserable. Never considering from how good a hand they came, or endeavouring by patience to make that excellent use of them for which they were intended, to assist the salvation of our souls.

To confirm you, therefore, in these truths, and to settle you steadily in the submission you owe to the laws of the land, as well as in the charity you are by Christ's sweet law obliged to bear towards your Protestant neighbours and fellow-subjects, I will state your case worse than it really is, and suppose that you were all driven to that worst extremity of begging your bread: I say, though you were reduced even to that starving condition, yet you ought not endeavour to better it by plotting or conspiring against his majesty's government, person, or subjects, or by disturbing the peace of the kingdom. You ought not, I say once more, do this, and the reason why you ought not is as evident as it is that you ought not to *sin*; to deny which truth is to deny, not some one point or some few simple truths, as do heretics, but the whole entire doctrine of Christianity, and the common light or reason to boot. Read the holy Scriptures, and you will find St. Paul (*Rom. xiii.*) tells us that Christians are bound *in conscience* to obey their heathen emperors; and that whoever *resisteth them, resisteth the ordinance of God*; also, that by so doing *they purchase to themselves damnation*. Does not Christ himself command us to *pay tribute unto Cæsar* (*Matt. xxii. 22*), the badge and token of our temporal vassalage and obedience? Does not St. Peter (*1 Pet. ii.*) bid us be *subject to the king, as having pre-eminence*? Is not all this, and much more to this purpose, in the gospel? Is not the same also confirmed by the Old Testament, unto kings *rule is given by the Lord, and power by the Most High: by me kings do reign*; and therefore that we ought not *speak ill of him* much less act against him (*Wisd. vi. 4; Prov. viii. 15; Exod. xxii. 28*). No evidence, then, can be more pregnant than this, that tis the will of God, or command of God revealed to us in most express texts of holy Scripture, that we ought to obey our temporal governors (particularly kings), and consequently the laws and ordinances made by virtue of their authority: whence follows unavoidably, that to disobey and rise against them is a sin, and in-

consistent with the duty of a good Christian; and if so, tis impossible it should be justified by the foresaid pretences. And let it be noted, that the texts produced do not concern any mystery of faith or matter purely spiritual, where possibly the ambiguity of the words may hinder the clear evidence of the sense, but they contain in themselves only a plain moral duty; and this so palpable and visible a one, that the known common good, and universal order of the world, and the vast benefits daily springing from the inviolable conservation of the obedience to government, speak out plain to us the true literal sense of the words, without needing recourse to learning or art to arrive at their true interpretation.

Yet I am not ignorant that the opposers of monarchy do wrest these and such other plain texts of Scripture to another sense, under pretence that *self-preservation* is warranted by the law of nature, and therefore no words of Scripture can, taken in their right sense, be applied against subjects who are hardly used, or in danger to be ruined by kingly government and prerogatives. But this objection has no force when the subjects profess Christianity or believe the immortality of the soul; so that if we look deep enough into the bottom of it, we shall discover that it is grounded on a maxim purely atheistical. For were it so that there were no other life after this, possibly a man might pretend a natural right and a just warrant from reason, to strive to enjoy this present one as long and as well as he could by any means whatsoever, without regard to obedience and morality; both which would be in that case great follies, as an atheist proceeding upon the same principle may fancy virtues to be. But the law of nature being reason, and reason either by its own light, or at least illuminated by faith, dictating that men's happiness cannot be confined to this short term of life, wherein the most meriting persons are frequently the most miserable, this world being but a thoroughfare to the other, wherein we are placed rather to exercise patience than to enjoy the benefit of our labours, nothing but want of true knowledge and Christianity can make us embrace a principle so contrary to the law of nature and reason as it is to fancy there can be any just ground of repining against Providence or resisting sovereign authority, to the intent that we may make ourselves or our posterity more happy in this world than the laws under which we live will permit. Especially if we add this consideration, that temporal governors and the laws they enact, are the ordinary means God's wise providence has thought fit to make use of, to dispense temporal or worldly convenience, and to assign to every one that proportion of them as shall seem most conducing to the common good. But I need not debate much on this subject; the power and vigilance of our governors being such, as upon the least appearance of danger, to prevent or suppress any attempts which offer to prejudice the kingdom's peace. What I judge most necessary to direct you from, nay, even to root out of your



hearts, is the envy or hatred which I fear many entertain against those who have succeeded to their late possessions.

I confess men are not ordinarily inclined to wish prosperity to others, raised (whether justly or unjustly) upon their ruin. But if they will have the patience to consider how common a thing the revolution of times is, and how changeable the best secured fortunes are, much of that animosity, wherewith the devil doth tempt them against their Protestant neighbours, would easily be abated. In England the ancient Britons were conquered by the Saxons, the Saxons by the Danes and Normans, these by the Cromwellists; and few other countries have escaped the fate of being overrun by strange nations; why ours should be exempted from this common fate I can give no reason, but I can give many to prove we deserve no better measures, yet I will insist but upon one.

Tis no new divinity but a known Christian truth, exemplified by innumerable instances in the holy Scriptures, that one main cause of men's sufferings are their sins. This being put, I would ask whether there be any Roman Catholic in Ireland so innocent in the sight of God as not to have (at least for the trespasses of his forefathers) deserved to be deprived of a temporal estate? If one sin committed by Adam and Eve, did, by the verdict of an infinitely just Judge, dispossess not only them, but also deprive all their descendants for so many generations of their inheritance in paradise, certainly the sins of immediate predecessors may justly exclude from any parcel of land the most harmless infant or offspring. And though our worldly princes do not punish their subjects so much for offending God as themselves, yet every one knows they are but God's instruments, and that without His permission there can be no punishment, as without sin there would be no such permission. So that if we will ground our discourse on Christian maxims, we ought not to blame any but ourselves for being unfortunate. Tis our demerits which has provoked the punishment which God has inflicted on us; must we, therefore, lay the blame on Providence, and curse our neighbours and the government, because ourselves have sinned and drawn God's indignation upon us.

But let us put the case we had not sinned, it is an error against faith, and the very same which God himself so severely reprehended in Job's friends, to believe that God does not permit the best religion, nay, the clearest innocency in the sincere professors of it to suffer in this world.

Let us remember the same pattern of patience whom we lately named, and other parallel examples of the Old and New Testaments; let us search into the ecclesiastical history even of our own islands, we shall find there that the Britons were Catholics, and that no people ever flourished more in religion and sanctity, than the Saxons themselves, at the time they were subdued by the Danes and Normans. Neither the purity of their faith nor the holy lives

of their saints could give them any title to be exempted from suffering, why then should we expect that a nation so generally depraved and perverse as ours, could escape the chastening hand of God? or why should we repine at so gentle a correction as the loss of temporal estates? If a miraculous prophet was killed by God's special appointment by a lion, for so venial a sin as his credulity in giving ear to the invitation of another prophet, pretending also a vision from God, can we admire that such sinners as we, should pass our days in sorrow, or with less worldly spoliation than our predecessors? Certainly, though we were all prophets and endowed with supernatural gifts and graces, we could not with any colour of reason expect so singular a privilege, nor complain of providence for permitting such laws to be enacted as are only of a mulctative not a sanguinary nature, securing our lives though many of our estates be forfeited. The primitive Christians, than whom none were either more saintly in their lives or firm in their faith, would have blessed God's mildly correcting hand, and esteemed it merciful and moderate to have enjoyed the benefit of such indulgent conditions; whom no less pain attended upon professing their Christianity than most horrid torments, or a cruel death to be immediately inflicted! But alas suffering, the truest badge of a right Christian or a perfect follower of Christ, was then more in fashion, because in those days they placed their inheritance chiefly in heaven, and esteemed nothing a loss, no not the forfeiture of life itself, provided it did not hinder their attainment of eternal happiness!

Did mortals make sober and attentive reflections upon the suberviency of their souls, and that the future condition which finally attends it, stretches its duration to an endless eternity; their reason, which passion and custom hoodwink, would readily discover how just it is to conform themselves to God's holy will in this particular, and even to take consent in their afflictions. For, tell me I beseech you, what is this world? Truth makes answer for you, and assures us all yet, tis only a theatre of foolish and false shows; a short comedy, or rather indeed, a short prologue of everlasting sadness to such as take most delight in it: a perpetual conflict between life and death, sickness and health, hope and fear, joy and discontent. Again, what is an inheritance? A parcel of land whereof our ancestors were masters as long as they lived; which term of life (the only interest any of them could pretend), is valued but at seventeen years purchase. Is it reasonable then, think you, to fix your hearts so unremoveably and passionately upon that earth, as if your souls were to turn into it as well as your bodies? Poor souls! After a man's death he has no expectation of any good for his temporal estate, being quite out of all circumstances of enjoying the least conveniency from it. Nor has any separated soul the least concern for any worldly inheritance but those unhappy ones, who, having over loved it, feel the fond affection to such perishable and

fleeting goods, racking their wills with a bitter torment for the eternal loss of it. Nor lastly, do they concern themselves so highly for temporal prosperity of their children or relations. No, no, the blinding veil is then taken from their eyes, and they see plainly, nay, feel experimentally, that nothing is at all valuable but as it conduces to attain heaven; and that neither riches nor poverty, but only virtue, are the proper means to compass that happy end, both of them indifferent and unconcerning, and only good or bad as they are well or ill made use of; but yet with this difference, that riches is by far a more dangerous incitement to fill our souls with the love of this world, and to turn us from virtue. Nay, even the *damned* souls are wiser than to concern themselves with wishing those friends whom they retain a natural affection for such trifling advantages. That rich man who so much envied the happiness of Lazarus in Abraham's bosom, was not solicitous for his brethren's worldly interest but for their instruction, which passage though it be a parable, yet tis a most sure proof of the folly of such as lament the loss of their fortunes more than the loss of God's grace, and are more concerned for acquiring or securing an inheritance in this world for themselves or their relatives than for that of heaven. What doth it profit a man to gain the whole universe, if his soul, in the meantime, suffers any detriment? And that soul suffers not only detriment but eternal damnation, that will attempt to possess an estate by so unlawful means as rebellion against superior powers, and the laws by them established.

I remember one of the greatest peers in Ireland (*Wentworth*, late Earl of *Kildare*,) desired my opinion concerning the apparition of a spirit which haunted him not long before his last sickness, and the advice it gave him. Some circumstances which were observed by his virtuous lady and others, as well as himself, made his story very credible to me, but his assuring that the spirit never recommended to him repentance of his sins, or reflections upon the uncertainty of this world, or any other thing for the good of his soul, and that it only exhorted him to mind temporal affairs, and to restore his family to its ancient greatness, made me suspect (as I told him) it was no good spirit that appeared to him; nay, a worse one than that of *Dives*, for this desired that some one would preach to his brethren against the vanities of the world, that did quite the contrary. And truly, a spirit that would move men to restore their friends and families to the seats and splendour of their ancestors by violating the laws of the land must be of the same nature.

Therefore, dearly beloved, I conjure you earnestly (as one who tenders your salvation as his own, and believes he must render to God an account for your souls) to bear with patience this cross which Christ has shared with you. Faint not under so light a burden; He carries the heaviest part: He was innocent, you are guilty. He submitted himself voluntarily, you must suffer unavoidably. Be

spiritually wise then, and make a meritorious virtue of this happy necessity. Let not the vain hopes of better times, or the desire of passing a short moment more commodiously, plunge you into the intolerable miseries of hell's fire for all eternity. Lose not the solid substance of true happiness for an airy shadow, the fruits of faith for a groundless fancy. You have lost your real estates, let not imaginary ones fool you out of your duty, and the recompense which God has promised such as will patiently expect it. Resist manfully against those deceitful temptations, and build not castles in the air. I say deceitful, for of all temptations, *hope* if not well grounded, is the most dangerous. In others a man may run the hazard of being deceived by the devil and outward appearances, but when he has once entertained hope, both ungrounded and also of false goods, he will most certainly be deceived by himself; and the more, by how much he is in this case confident and assured that he intended no prejudice, but advantage. Against the fair words and promises of others we are armed by the suspicions and cautions wherewith nature and experience has furnished us: but against that fair prospect of distant goods within our view, wherewith we please and entertain our thoughts, represented rather by our fond wishes than by any probability of relief, there is no defence. Wisdom is naturally the safest guard against such an inbred enemy lying in close ambush in our own breasts; but alas! those inordinate affections to worldly things paint them to our deluded imagination in such gay and lively colours of hope, and so easily attainable, when there is no such thing, that the wholesome maxims of wisdom are stifled in our passion, and folly (which now has got the reins) drives the will blindly headlong into the dangerous precipice of over late and fruitless repentance. That, therefore, which I principally aim at, is to root out of your hearts this delusive hope, as the chiefest obstacle of our happiness in the next world, and of our content in this; which is apt to entice whole nations to their ruin, and lastly, is the most moving temptation to make souls break the best orders of the world, and infringe the the most sacred laws of Christianity and conscience.

You will say that *were it not for hope, hearts would break*. Nor will I deny that *Christian hope* is the most comfortable cordial for afflicted souls; that *hope*, I say, which is grounded upon divine faith of an everlasting inheritance; *hope* that does secure as well as promise possession; *hope* that makes us despise all temporal happiness, and erecting the soul to take her flight towards heaven, makes her at taking her rise spurn the subject earth. Let this hope replenished with all solid satisfactions, be your comfort, not that empty one of possessing estates already disposed of, whose flashing glimpses has dazzled your eyes, and deluded you for so many years. Do but lay it once to heart, how great the disproportion is between a temporal and everlasting inheritance, and it will quickly cheer up your spirits, and wean your wills from that fond propension we are still

apt to retain to what was once our own, though we know it could never long continue so. The longest liver that ever was since the creation, did not arrive to enjoy the world a thousand years; and put the case if every man did so, yet it would signify little or nothing to such as still long to continue it, because the present time (or to speak more properly *instant*) fills us with sorrow for the time that is past, and with perplexity for the future. Those noble souls who fix their hopes and thoughts upon heaven, do from that height look down unmoved upon the vicissitudes of sublunary affairs, and the storms of subject fortune; and tis only those weaker ones that degenerate from the excellency of their spiritual being, who are shocked with the loss of a piece of land, which God knows they had not right allowed them by the course of nature to enjoy above a moment. And that, too, such a moment on whose well or ill spending is grounded the determination of our final and ever-during state, either of salvation or damnation. Can we then be so stupid as to misspend this precious moment, and the time which God's merciful providence has allotted us to prepare for death, and purchase the kingdom of heaven, in sighing and soliciting for a pitiful parcel of earth; and that because we hope to pass our days as our ancestors did theirs, in more plenty and folly than now we can? This argues want of courage as well as Christianity. *Omne solum forti patria est*, says the Roman orator. If the constant man makes every country his own, questionless a Christian ought not be so set upon any worldly inheritance as to endanger his sure title to heaven and the eternal loss of his soul, for the enjoyment of so uncertain a settlement.

Perhaps some may conceit this doctrine too sublime for the laity, and more proper for monks and hermits than for married men, who are bound in duty and conscience to provide for their wives, children, and families. Be not seduced, dearly beloved, by such specious mistakes or false suggestions. The laity is as much obliged to practise Christian duties as the clergy, and married men ought to love their neighbours, and suffer patiently their own crosses as well as monks and hermits; some evangelical counsels and works of supererogation are peculiar to the ecclesiastical state, but God's commandments are proper to all Christians. I do not pretend that laymen are bound to sell their lands, and voluntarily embrace that poverty which religious orders profess; but I must maintain that they are obliged in conscience to submit to Providence, and to bear patiently the forfeiture of their possessions without disturbing the public peace, or the private rights of such as enjoy them by the law of the land. They may have recourse to the courts of judicature and to his majesty's justice and mercy, but not to any other tribunal.

Though the ancient practice of God's Church be a sufficient and most convincing proof of this truth, yet it were not amiss to confirm it with a reason deduced from the particular aversion which God hath to rebellion, and disturbers of government. Sovereigns are

the images of God, as we may say, according to his *prerogative*. Nor do their souls only naturally resemble him as he is a spirit, but their sovereignty and office represent him under a civil or politic nation, as He is supreme Lord and Master of his creatures. As sure as He is king of the whole universe, so surely are they His viceroys in their respective districts. And can we think yet, this great king will look on those with any other eye than as on traitors who disobey and rebel against His viceroy. Does not the order of this world plainly inform us that every superior power resents the contempt of a subordinate one, as a vilifying his own which instituted it, and in virtue of which it acts? Or can we think that God is not more offended when we disregard him under that character and title, than when we commit other sins? Do not we see that it stands with good reason, that sublunary kings pass by some disrespects and indignities which reflect upon them in other regards without inflicting very severe punishments on the offenders? But such transgressions as touch their supremacy or power of governing, are accounted *treason*, and punished with the utmost of all temporal ills, death. And this is the reason why idolatry is so heinous in the sight of God, because it dethrones Him who is king of the whole creation, and sets up an usurper in his place to receive that incommunicable honour which is so justly and properly his. Applying this then we shall find that, when subjects rebel against their king or his laws, they condemn God, who appointed them his officers to rule over the world, according to His attribute of supreme Lord and Master, because kings as such represent God's sovereignty, and are in that regard his images as well as his anointed; and, whosoever condemns the image, condemns the prototype. 'Tis the known doctrine of those of our profession, that we ought to honour the former for the latter's sake; they only, therefore, that hold no distinction between an *image* and an idol may take an *umbrage* at this doctrine, but the very grain and *genius* of our religion obliges us to it strongly, and leaves us no power to unravel that tie of inviolable obedience to our sovereigns which is so manifestly interwoven in our very Christianity. The sum of all this is, that since disobedience to our king necessarily implies a disobeying God, 'tis evidently consequent that we can have no more right to rebel against him than against God himself; and that, since God has so essential a hatred against sin as not to consent we should commit the least venial one, though, by so doing we should convert and save the whole world, how can it be imagined that he will allow of so great a crime as rebellion upon any score, even of maintaining religion or converting souls, much less upon that mere temporal motive of saving or regaining an estate?

And now, dearly beloved, give me leave to exhort you in Christ's name, who is the author and earnest recommender of that best soul-saving virtue of charity, and in God's name, as he is the sovereign

governor and disposer of the world, not to look with a maligning and spiteful eye upon your Protestant neighbours as usurpers of estates, but, as placed in possession of them by the king who is God's vicerent, and consequently by God himself; as also to consider yet the divine goodness doing ever what is best for the spiritual good of His creatures if they make right use of it. His holy intention was by permitting your temporal losses to lay more effectual means for the salvation of both theirs and your own souls. Consider that their souls are by creation the images of God as well as yours; for which reason alone, were there no other, you ought to love and honour them, and pray for their conversion; which doubtless has been God's design in this great revolution. In doing which you have Gods own words (and who would not take His security), tis impossible you should be losers if you practice the doctrine you profess and we teach. If any of them be hard to you, bear it patiently; if charitable, be thankful. I know there are many of them pity your condition and offer to compound for your claim, notwithstanding their possession and the legality of their title. I know also, that every man is apt to conceit himself to be the best judge of his interest; but give me leave, who ought to have no other but the good of our souls, and am equally concerned for the salvation of all, to wish with all my heart you did agree and live together in true Christian brotherly charity, lest your dissension cause your damnation; as it must inevitably if it arrive at that height as to break that most excellent virtue without which all others are dead (as wanting that which only gives life to all the rest), and bear no fruit of merit towards the attainment of heaven. What a happy man should I esteem myself if, by my prayers and endeavours I could contribute any thing to so pious a work, and so proper for one of my calling? How willingly would I leave the contentments and conveniencies I at present enjoy in the best climate and country of Christendom, to live in that less happy soil, not so favourable to men of my profession? I shall not value my inconveniencies if you give me the least encouragement by receiving cheerfully and heartily my advice in this present matter, which concerns so nearly the good of your souls and the peace of that kingdom. I flatter myself, and I hope not vainly, with expecting your ready inclinations for so necessary a resolution, and so becoming persons of your principles: and therefore, resting in this confidence I will make no further delay, but prepare myself (as I hope you have by this letter), for so Christian and meritorious a work. Notwithstanding this only is my design, I fear, that if in order thereunto I should once more implore and obtain with my Lord Lieutenant's allowance, a justice of the peace his warrant for securing a notorious malefactor (though a friar by profession), falsely pretending papal privileges of not being questioned for his adulteries, rapes, sedition, exacting moneys by counterfeit bulls as the supposed vicar-apostolic's collector, and his

keeping a community of vicious vagabonds upon poor people's charges under the name and pretext of religious novices, I fear, I say, if I should in a legal way endeavour to have such scandals and seditious punished by the king's authority, it will be represented again to the Parliament of England as an exercise of foreign jurisdiction, and be made the ground of another persecution.

However, I conjure you most earnestly, that if any should endeavour to teach you any doctrine contrary to this which I give here under my hand, and am ready to seal with my blood, you will look upon them as wolves, whatever their profession or habit seem to be. You have had experience of some preachers who pretend great zeal to God and the king's service, and yet at the same rebellion and murders were proved against them. These are the men you must not give ear to, nor converse with, lest you be infected with their doctrine and perverted by their example. Hear and follow the pastors who are answerable to God for your souls, not mercenary hirelings to whom the care of them does not properly belong. And yet if either these, or I, or an angel from heaven should go about to persuade you that it is lawful to molest your Protestant neighbours, or defraud them of their goods, or enter upon their possessions by any means or method which the law of the land doth not allow, give them no credit, but let them be to you as an *anathema*. God of his mercy grant you light to see, strength to bear, and a truly wise Christian prudence to husband and make that excellent advantage of your sufferings, which God's all-seeing wisdom ordained them for. In the *jargon* of worldly language they are called *misfortunes*; but believe me, they are the same measures which the sweetly-contriving economy of divine Providence ever took to make his servants happy.

Be of good comfort then, and rejoice that your names are writ in the book of life; nay, bless God that you are thought worthy to imitate Christ's example, and that you have the surest marks of predestination, which are worldly poverty and contempt. But to have their due and full effect of benefitting your souls, these sufferings must be accompanied with patience, and accepted as favours from that hand which alone can redress them here, or also will surely reward them hereafter: but it seldom does both. I hope you will be so wise as to make choice rather of the last, and pray and endeavour that both yourselves and your posterity may rather remain in the condition you are reduced to, than seek to better it for the moment of this life by hazarding that everlasting inheritance, the loss whereof (and of no other) can possibly make you unfortunate.

The peace of our Lord Jesus Christ be with you.\*

PETER TALBOT.

Paris, May 2nd, 1674.

\* Even the *italics* in the original edition of this pastoral are retained, the spelling alone being changed.



[Wicked and ambitious men rarely express these mild and Christian sentiments; yet such was the doctrine and such the preaching of a prelate often denounced as a traitor and persecuted unto death for sedition. To us, indeed, who hear every day of the glory of successful revolutions, and of resistance as a wholesome check on misgovernment, Dr. Talbot's notions of obedience, far from needing an apology for their violence, will seem to exact too much of the subject, to be too servile and oppressive; and still they harmonize perfectly with the solemn precepts of the Apostles in the passages quoted in this pastoral, and with the uniform tradition of the Catholic Church. The advocates of rebellion, as the best security against tyranny, have found it very difficult to point out a case in which their principle would apply if the Christians at Rome in the days of St. Paul were bound, not from terror, or any motive of prudence, but for conscience sake, to obey in all things lawful the government of Nero.\*

Dr. Talbot returned to England in 1675, where he resided for the next two years in Poole Hall, Cheshire.† His health had been failing so rapidly, that he sought and obtained, through the interest of his brother with the Duke of York, Ormond's permission to come to Ireland, "to die," as he said, "in his own country." Before obtaining this leave, he had to promise to live quietly with his own family, and to interfere no further in political questions, not because the helpless archbishop, who was borne in a chair to his brother's house, could be suspected of a serious design to subvert the government, but as a plea to justify the severity of the measures already taken against him.

Shortly after Dr. Talbot's arrival in Ireland, the Duke of Ormond received a letter from the secretary of state, informing him of the discovery of the "Popish plot" and of the means adopted to extend it to Ireland; that Peter Talbot, Archbishop of Dublin, was one of the accomplices, and that assassins were hired to murder the Duke himself. "The Duke had no apprehension of that nature at that time, the Irish being in no condition to raise an insurrection, and Peter Talbot in a dying way. He signed, however, a warrant on the 8th (Oct. 1678), and despatched an officer to secure his person."‡

Dr. Talbot was arrested in his brother's house at Cartown near Maynooth; his papers containing nothing but dissertations on controversy were all seized and carefully examined. He was immediately removed to Dublin "*in a chair, and committed close prisoner to the Castle with a person to attend him in his miserable and helpless condition, the violence of his distemper being scarce supportable, and threatening his death at every moment.*"§ Harris adds, "that no-

\* See the Encyclical of Gregory XVI.—15th August, 1832.

† Carte ii. p. 477; Harris's Writers, p. 193.

‡ Carte, *ibid.* p. 478.

§ Carte, *ibid.*

thing appeared against him from his examination, nor from those of others.\* Yet he was continued in the Castle about two years, and died in confinement in the year 1680.”† The reader will, no doubt, be surprised to find such admissions in the pages of Carte and Harris, and more so still to find their calumnies repeated by authors without number, who never notice the statements favourable to the archbishop.

To add to the sufferings of this amiable prelate, he saw his own brother Colonel Talbot, and Father Ryan, superior of the Jesuits, first cast into the same prison, and then, when the horrors of the jail became insupportable, ordered out of the country. And he knew well, if he was deprived of the happiness of sharing in their exile, it was only because the attempt to remove him in his present exhausted state, would instantly cause death.

It would be unjust to the memory of Dr. Talbot not to give the vivid description of the circumstances connected with his imprisonment and death, left us by a contemporary and countryman, Richard Arsdekin, S.J. This I translate literally from the dedication of the “Theologia Tripartita,” Its fidelity may be relied on the more, because the author had reason to complain of some expressions applied to himself by Dr. Talbot during the discussion on the primacy, and cannot therefore be suspected of partiality. “After a short time, when the storm of persecution had abated somewhat rather than subsided, Dr. Talbot returned to Ireland, where he laboured to restore church discipline, to encourage the Catholics, and to elude the machinations of heretics. But his enemies could not long bear the light. They were incensed at his zeal, and jealous of his influence with the people; and as is usually the case, they resolved to destroy what they feared. Secret accusations were made before a heretical tribunal, suspicions created, all the other means craftily employed to oppress this just man, opposed to their wicked designs, and whose worst crime was to have the name, the office, and authority of a priest. At length the excellent prelate, always supported by the testimony of a good conscience, is seized on suddenly by wicked officials and cast into a public prison

\* P. Walsh, far the most unscrupulous of his accusers, charges him with reducing to practice the worst maxims of what was unjustly called Jesuitical casuistry. According to that libeller, Dr Talbot maintained the lawfulness of equivocation, calumny, assassination, murder, treason, etc., provided only the act were useful to yourself, to your family, to your society or order. Walsh asserts that Dr. Talbot was justly expelled by the Jesuits for some grievous crime *which he knows, but wont mention*; and in the same page and with this admission before him, he asserts also they were mainly instrumental in procuring his promotion to the see of Dublin to serve their own interests.—Hist. Remonst. p. 528–9–30.

† Harris's Writers, Book i. p. 193.

without being guilty of the least offence. There this faithful soldier of Christ was shut up in close imprisonment for a long time, but neither keepers, nor prison walls, nor chains could restrain that freedom of spirit which animated the true pastor, and made him more careful of the salvation of others than of his own life. Whilst he patiently awaits the usual inhuman sentence of that heretical tribunal, his feeble body, no longer a fit tenement for the noble spirit, is broken down by heavy sickness. Still the soldier of Christ struggles on against disease, and the filth of a loathsome dungeon; destitute of almost all human aid, with nothing to console him but a firm resolution and conscious innocence. At length, after enduring various and repeated tortures he suffered death, not indeed beneath the axe of the executioner, but immured in a filthy prison, and he passed to that better world where God has promised a crown of justice to those who strive lawfully. But this most illustrious prelate shall ever live in the memory of men; he shall ever live in the society of holy confessors; from him the injustice of man, the cunning and envy of heretics, shall never take away the laurels won in the glorious fight. O blind Tyranny, thou art deceived! whatever thou dost, whatever thou proposest, the blood of martyrs has been, and ever will be the seed of Christians! Of this truth Ireland, ever faithful to her God and to her king, has given for ages, and will continue to give, a noble example.”\*

Some recent writers have quite erroneously fixed the date of Dr. Talbot's death in 1681, against the unanimous testimony of our best informed historians. It is quite certain he died in 1680, and probably at the close of that year. The Nuncio wrote from Brussels, December 21, 1680, “*that my Lord Talbot, archbishop of Dublin, has died of his sufferings in the prisons of Ireland (è morto d' infermità nelle carcere d' Ibernìa)*; that Dr. Plunkett was several times examined without of course any crime being discovered against him, and was still most strictly guarded; and that Lord Stafford was accused by many of the usual witnesses, and could depend only on the fears of the peers, who did not know if they admitted such proof when the same would be used against themselves.”†

No allusion has been yet made to the works of Dr. Talbot, except the “Primacy” and “Pastoral.” The writer regrets he cannot speak of the rest from his own knowledge. They are not to be

\* “Theologia Tripartita” Richardi Arsdekin, S.J., Proseutio Ded. Tom. i. Edit. quinta, Antverpiæ, Anno 1682. Arsdekin entered the society in 1642, being then twenty-three years of age, and was consequently only about one year older than Dr. Talbot—see above p. 202. See also Hib. Dom. p. 131, 815.

† Extract from original documents of Padre Theiner, by L.F.R. I shall have occasion to quote these extracts frequently, as the “Theiner MSS.” The date, which is always given, is a sufficient reference.

found in any of our public libraries in Ireland—a further proof of the shameful neglect of Irish literary labour so often complained of, that it seems to be the duty of every one to protest against it. Had not Dr. Talbot himself, out of love and respect for the glorious society of which he was once a member, presented copies to their library at Rome, the very titles of most of them would have been lost, and the author's name forgotten. It is only by translating the catalogue of these given by Southwell,\* and which is necessarily imperfect, reaching no further than 1675, that we are enabled to supply the following list:—†

*A Treatise on the Nature of Faith and Heresy*, 8vo. Antwerp, 1657.

\* "It is hard to get a sight of them; and after the most diligent searches I could only meet with two"—Harris's Writers (p. 193) He does not say which two.

† We give the whole life, because manifestly written by one well acquainted with Dr. Talbot's history. "Petrus Talbotus, natione Hibernus, sed origine ducta ex nobilissima familia illustriusimorum Solopiensium in Anglia, exinde propagata in Hiberniam, ubi illius majores in equestri ordine, variis prærogativis, privilegiis, atque honorificis muneribus claruerunt, et in fide Catholicæ, imprimis constantiam semper tenuerunt inter heterodoxos. Adulescens societati nostræ nomen dedit in Lusitania ubi literis operam dabat anno salutis 1635, ætatis suæ 15, atque in ea disciplinas humaniores triennio docuit, Philosophiæ ac Theologiæ studia insigni profectu emensus est, partim in Lusitania, partim Romæ, ubi sacris etiam ordinibus initiatus est. Inde reversus in Lusitaniam, et paulo post progressus in Belgium, Theologiam moralem anno uno Antverpiæ explicuit, profectus postmodum in Angliam ubi *justis de causis*, absolutus a votis, et sui juris factus, aliquot post annos a summo Pontifice Clement IX. Archiepiscopus Dubliniensis creatus est atque ex eo tempore commissum sibi in Hibernia gregem vigilanter curat. Scripsit dum in societate esset libros aliquos idiomate Anglicano, quos pro singulari suæ benevolentia quæ ordinem nostrum etiam constanter prosequitur *huic nostræ Bibliothecæ inseri tanquam nostros curavit*, adjunctis etiam aliis quos presul dein infusus elucubravît, licet tacito plerosque nomine suo, uti plurimi solent, qui inter acatholicos degunt, ut securius lateant, et pluribus ad vitam æternam prosint. Librorum porro editorum syllabus est qui sequitur.

*Tractatus de Natura Fidei et Hæresis*. Antverpiæ, 1657. 8vo.

*Politicoꝝ Catechismus* ad hos instruendos divina fide et morali honestate. Ibid. 1658, in 4to.

*De Nullitate Ecclesiæ Anglicanæ Protestanticæ, ejusque cleri*. Bruxellis, 1658, in 8vo. Et hos quidem ille in societate elucubravît, postea ab illustrissima Dominatione sua editi sunt.

*Tractatus de Religione et Regimine*, magno volumine, Gandavi, 1670, in 4to. *Confutatio Principioꝝ sectæ Protestantium* a quodam Doctore Stillingfleeto propugnatorum. Londini, 1672, in 4to.

*Epistola Pastoralis ad Catholicos in Hibernia* de officio et solatio patientium subditorum. Parisiis, 1674, in 8vo.

*De efficaci remedio contra Atheismum et Hæresim et speciatim contra gravem*

*The Catechism of Politicians*, to instruct them in divine faith and moral virtue, 4to. Antwerp, 1658.

*The Nullity of the Anglican Protestant Church and Clergy*, 8vo. These he wrote whilst a Jesuit—afterwards he published :

*A Treatise on Religion and Government*; a large 4to. Ghent, 1670.

*A Refutation of the Principles of the Protestant sect as set forth by Dr. Stillingfleet*, 4to. London, 1672.

*The duty and comfort of suffering subjects*, etc., as above, p. 213.

*On the Efficacious Remedy against Atheism and Heresy*, and specially against the grave error of Thomas White, *alias* Blacklow, in his book *de Statera Morum*, which was condemned by the Roman Inquisition in 1661. The author required more than moral evidence for an act of Divine faith, and denied the necessity therefore of a pious affection of the will in eliciting it, 8vo. Paris, 1674.

*History of the Iconoclasts*, 8vo. Paris, 1674.

*History of Manicheism and Pelagianism*, in which it is proved that the above named White, *alias* Blacklow, and his followers revived those heresies, 8vo. Paris, 1674.

*On the Primacy of the Archiepiscopal see of Dublin*, or an answer to the “*Jus Primatiale*” of the most illustrious archbishop of Armagh, 8vo, 1672.

He has now ready for the Press :

*The Contest of Faith and Reason*, against the reviving system of Pelagianism and Manicheism, 4to.\*

errorem Thomæ Albii, seu Blacloi, in libro de Statera Morum, damnato a sancta Inquisitione Romana anno 1664, requirentis plusquam moralem evidentiam ad assensum fidei divinæ, ideoque rejicientis necessitatem piæ affectionis in voluntate ad illum. Parisiis, 1674, in 8vo.

*Historia Iconoclastarum*. Parisiis, 1674, in 8vo.

*Historia Manicheismi et Pelagianismi* in qua ostenditur supra memoratum Albium seu Blacloium ejusque assecclas has hæreses resuscitare. Parisiis, 1674, in 8vo. Latine edidit illustrissimus Dominus :

*De Primatu Dubliniensis Archiepiscopatus*, seu responsum ad Jus Primatiale Illustrissimi Archiepiscopi Armacani. 1673, in 8vo.

Prælo paratam nunc habet :

*Pugnæ fidei et rationis* cum renascente Pelagianismo et Manichæismo in 4to.

See the Bibliotheca Scriptorum Soc. J. opus inchoatum a R. P. Petro Petro Ribadeneira ejusdem societatis Theologo, anno salutis 1602, continuatum a R. P. Philippo Alegambe ex eadem societate usque ad annum 1642, recognitum et productum ad annum jubileæ MDCLXXV. a Nathaniele Sotvello ejusdem societatis Presbytero. Romæ, 1676.

\* See Harris's Writers, *Ibid*. Theologia Tripartita, Tom. i. p. 489.

## PATRICK RUSSELL.

[PATRICK RUSSELL, son of James Russell of Rush, county Dublin, was born in that parish in the year 1629. Of his early years, student life, and labours as a priest, we know hardly anything, beyond what may be learned by conjecture and our general acquaintance with the times and his subsequent career. We may presume, indeed, that being destined for the church from youth, and descended of a respectable family, he received the best education his friends could provide; and that he displayed more than ordinary zeal and prudence in the discharge of pastoral duty, or else he would not have been chosen at a most critical period to preside over the see of Dublin. A few relics that have been handed down to us throw some additional light on his history. On a thurible and incense-boat, for example, to be yet seen in the parish church of Francis-street, Dublin, and no doubt once used by the archbishop himself, are inscribed the names of Patrick and James Russell. Both are of solid silver, and well wrought. They were made at the expense of James Russell, Dean of Dublin, to be presented, it would seem, to his brother, with the following inscription on each:—

“Orate pro Pa. Russell, Archiepiscopo Dub., Hiberniæ Primate,  
et pro fratre ejus Ja. Russell, Decano Dublin. et  
Protonotario Apostolico qui me fieri fecit,  
1690.”

A handsome silver chalice, made by the archbishop's order, is religiously preserved by a respectable family, who are justly proud of being connected by name and blood with this sainted prelate. It has these words engraved on the foot:—

“Orate pro anima Pa. Russell, Archiepiscopo Dublin.  
qui me fieri fecit, 1687.”

Dr. Russell was elected archbishop of Dublin on the 2nd August, 1683.\* He had to endure, at first, all the hostility of the bigoted faction that deprived his predecessor of life and liberty. They watched every movement closely, and sought every opportunity to accuse him of violating the law. In these circumstances the public exercise of his ministry would be attended with the greatest risk; and hence, his time was chiefly occupied in the performance of those duties less likely to attract notice and expose him to danger. Notwithstanding this caution and anxiety to avoid giving offence, from time to time his enemies became more furious and intolerant; their worst passions were excited by some fresh calumny

\* Hib. Dom. Sup. p. 818.

against the Catholics and their religious principles. On these occasions the archbishop generally retired for a while to his native parish, and lay concealed there in the house of his kinsman, Geoffrey Russell, until the storm that threatened him blew over. These visits were long remembered in the village of Rush, and are still spoken of by the pious people there, as the most remarkable events in their annals.

But a great and unexpected change soon took place, which, for a time, almost restored the Catholic religion to its former splendour. After Charles II. had given the strongest proof of the sincerity of his early conversion, by dying in communion with the Church;\* and his brother, James II., who never disguised his religious convictions, ascended the throne of England, apparently with the fullest approbation of his Protestant subjects, no one could think of enforcing the penal laws, though they still remained on the statute book, or of interfering with the public and free exercise of the Catholic religion.†

The new king, it was well known, was too warmly attached to his creed, to permit insult or injury to those who embraced it; his zeal, indeed, required to be checked rather than stimulated. The fullest liberty was given the Irish bishops to meet in council, and to direct their energies to useful legislation. Dr. Russell availed himself at once of this favourable opportunity, and convened a provincial synod on the 24th July, 1685, to reform the abuses which crept in during a long period of religious persecutions, when it was impossible for the pastors of the church to assemble together. We shall not dwell on each of the decrees approved on this occasion, as they agree substantially with the statutes passed in 1614, of which a summary has been given already. One law, however, then sanctioned, deserves to be specially noticed just now, when a cry of innovation has been substituted for the old charge of traditional dogmatism, because it proves how ancient, and how widely diffused, and how sincere is the devotion to the *Immaculate Conception* in the Irish Church. The festival of the Blessed Virgin Mary, commemorative of her exemption from original sin, was ordered to be celebrated throughout the province as a holiday of strict obligation.‡

\* March 5, 1685.—James II. in a letter to the Pope, describing the conversion and death of his brother Charles, states, “that on the Sunday after the interment he went with his queen, Mary, to her chapel; ordered the doors to be left open, and both received holy Communion from her confessor.”—“Theiner MSS.”

† Dec. 24, 1685.—Dr. Tyrrell, Bishop of Clogher, expresses his opinion that James could dispense with all the penal statutes *in Ireland*, as they were never passed by Act of Parliament, but only enforced by the Executive—Letter to Rome.—“Theiner MSS.”

‡ De B. M. V. quæ censetur totius regni patrona generalis, statuimus et mandamus ut festum *Immaculatæ ejus Conceptionis* servetur ex præcepto in tota hac provincia ac proinde ut omnes ab operibus servilibus eo die abstineant.—Statuta Dublin. p. 83.

Besides the suffragans, namely, James Phelan, Ossory; Luke Wadding, Ferns; Edward Wesley, Kildare; and many consulting theologians, there were present also at the council, James Russell, Dean of Dublin, brother to the archbishop, and Edward Murphy, who afterwards filled successively the sees of Kildare and Dublin.

Another provincial synod was held on the 1st of August, 1688, at which Dr. Russell and Dr. Phelan assisted, with the vicars-general of Kildare, Leighlin, Ferns, and the said James Russell and Edward Murphy. We have also still extant, the acts of three diocesan synods of Dublin during Dr. Russell's administration—the first, in June 10, 1686; the second, May 9, 1688; and the third, April 4, 1689,\* which prescribe very minutely the duties of the clergy and faithful, and evince a knowledge of the requirements of church discipline, worthy of better times. Although this close attention to the religious wants of his own diocese occupied necessarily much of Dr. Russell's time, he warmly supported the efforts of others to promote the general welfare. He signed the petition presented by the bishops of Ireland to the king, July 21, 1685, praying him to confer on Tyrconnell the necessary authority for protecting them in the free exercise of their ministry; and he took a most active part in convening the assembly in which the primate, Dr. Maguire, and Patrick Tyrrell, bishop of Clogher, were appointed delegates to wait on his majesty, and to suggest the best means of securing religious freedom.† King James received the prelates most graciously, and ordered the Earl of Sunderland, chief secretary of state, to write to Lord Clarendon, then viceroy, recommending the said archbishop, the bishop of Clogher, and the rest of their brethren to his excellency “for his patronage and protection upon all occasions wherein they should apply to him, or stand in need thereof.” The king himself wrote to Dr. Maguire, acquainting him that he had ordered certain sums of money to be paid out of the exchequer in Ireland—£300 per annum for his own use, £200 per annum to Dr. Russell, and like pensions to the other Catholic bishops.‡ These concessions, which to us appear so insignificant, but were in reality valuable benefits when compared with the grievances of the Catholics before the accession of James, and again under his successor, are to be ascribed to Dr. Russell's zeal and influence. Indeed, but for the wisdom with which he directed the councils of his brethren, many important changes, deeply affecting the interests of religion, would never have been made in his time. A better opportunity, however, of reviewing the general state of the Irish Church during the ten

\* Statuta Dublin. p. 89, 122, 127.

† Extracts from “Theiner MSS.” See the joint letter to the Pope, Lond. Dec. 7, 1685, of Fr. *Dominicus Armac.* et Fr. *Patritius Clogherensis.*”

‡ *Macariæ excidium*, by J. C. O'Callaghan, Esq., for the Irish Archæological Society. Notes, p. 308.



eventful years that Dr. Russell presided over the see of Dublin, will present itself elsewhere when we come to treat of other prelates, who have themselves described the vicissitudes through which they passed.\* But one act of the archbishop's public ministry remains to be noticed here. This was the consecration of the church of the Benedictine nuns in Channel-row, Dublin, June 6th, 1689, which seems to have been performed with unusual pomp and splendour. King James, who had only a few months before arrived in Ireland, attended with his court, and a vast concourse who welcomed his majesty with a kind of religious enthusiasm. It was the first time for ages that an English king took part in such a ceremony. Hence it was regarded by the people as a declaration of James's faith and policy, and an earnest of the freedom they were to enjoy under his reign. These hopes were unhappily doomed to disappointment, yet the memory of that day was still fresh nearly a century after.†

Soon after followed in quick succession, the battle of the Boyne, the defeat and shameful flight of James, the taking of Athlone, the victory of Aughrim, the siege and treaty of Limerick, the submission of the Irish to the prince of Orange, and the departure of the native troops for France. The social effects of this revolution in Ireland are thus eloquently described by a living author.

"The iron had sunk into the soul [of the Irish.] The memory of past defeats, the habit of daily enduring insults and oppression, had cowed the spirit of the unhappy nation. There were, indeed, Irish Roman Catholics of great ability, energy, and ambition; but they were to be found every where except in Ireland—at Versailles and at St. Ildefonso, in the armies of Frederic and in the armies of Maria Theresa. One exile became a marshal of France. Another became prime minister of Spain. If he had staid in his native land he would have been regarded as an inferior, by all the ignorant and worthless squireens who drank 'the glorious and immortal memory' . . . . These men, the natural chiefs of their race, having been withdrawn, what remained was utterly helpless and passive. A rising of the Irishry against the Englishry was no more to be apprehended, than a rising of the women and children against the men."‡

A faithful and pains-taking historian might have also given an outline of the results as affecting the rights of conscience. He might have added, that the national religion was again proscribed, that the most barbarous of the penal laws were immediately enforced, that many Catholics died in prison or in exile, and that the acts alleged as excuses for this cruel and bloody persecution were

\* Life of James Lynch, Archbishop of Tuam.

† Hib. Dom. p. 354—741. Dr. Burke takes care to inform his readers he heard these facts from eye-witnesses.

‡ Lord Macaulay's *His. of England*, vol. iv. p. 113.

only devices of the new sovereign and his supporters. Such details are, however, carefully suppressed by English writers, as if they had nothing to do with history, and the most valuable documents are neither examined nor referred to.

No one of the Irish prelates, it would seem, felt the consequences of this change sooner than Dr. Russell. It was probably remembered to him that he had the honour of officiating in the presence of the deposed king, not only on the occasion alluded to here, but also at other times. Strong fears were entertained of his fidelity, and his position in the church tended to increase them. He was accordingly seized in the very beginning of William's reign and cast into prison, where he remained almost without interruption to the time of his death. In an interesting letter from Francis, archbishop of Rhodi and Nuncio at Paris, to Cardinal Spada, Dec. 31, 1696, it is stated that King James was then at Brest, "examining the state of all those who had already come over from Ireland, amounting to about 15,000, of whom 700 were women, and four or five hundred children. Among the exiles are the archbishops of Armagh and Tuam, and the bishops of 'Cluan' and Elphin. The archbishop of Cashel and the bishop of Kildare, both of whom were at Limerick, and the bishop of Ossory, are supposed to be still in Ireland. *So is also the archbishop of Dublin, now a long time in jail.*"\*

The fullest information on Dr. Russell's imprisonment and death is left us by Dr. James Lynch, archbishop of Tuam, in an eloquent letter addressed to the Cardinal Prefect of Propaganda, and dated Paris, Oct, 28, 1692. Since his departure from Ireland, he says, many pious ecclesiastics, among others the bishops of Meath and Ferns, and the archbishop of Dublin have suffered death at the hands of their enemies. "The archbishop of Dublin remained as much as possible in his diocese, but finding that he could not conceal himself in the city, or escape the snares of heretics, he retired to his friends in the country, and lay hidden for some time in caves and caverns, or wandered through the woods and mountains. He was at length detected, conveyed to Dublin, and cast into a loathsome prison, where he endured repeated insults, much misery and hardship. On one occasion, indeed, he was liberated on giving bail to appear when called on. But of what use this brief respite? The same tortures were repeated again; guards were set to watch him in a filthy underground prison cell, until worn out with heavy afflictions, this faithful servant was called to his Master, to enjoy the reward of so much labour. *The archbishop of Dublin is now two months dead.* God grant he may have a successor who will imitate his piety, and show the same zeal in his ministry."†

\* Extract from "Theiner MSS."

† "Theiner MSS."—Letter of Dr. James Lynch, literally translated from the very creditable Latin original.—L. F. R.

By the 'two months' Dr. Lynch may have understood the interval from the *end* of July, in which the death took place, to the *beginning* of October, in which the letter was written; or he may have reckoned from the time the intelligence reached him. The error in any case is very slight; the true date of Dr. Russell's death being the 14th of July, 1692, as appears from the coffin plate, now in the possession of the venerable parish priest of Rush, the Very Rev. A. Fagan, who has kindly furnished me with an exact copy of the inscription. This plate is of copper, and was dug up a few years ago in the grave yard attached to the old church of Lusk, where the archbishop was buried.

"Here vnder lyeth ye body of Patrick Russell,  
Catholick Ld. Arch Bp. of Dvblin, and Primat of Ireland,  
son to James Rvssell, of Rvsh, who  
died in ye 63d year of his age, on ye 14th of  
July, 1692, and ye 9th yeare of  
His consecration."]

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### PIERSE OR PETER CREAGH.

"IN this year (1705), about the month of July, there died at Strasbourg, in Alsace, the Right Rev. Father in God Pierse Creagh, who from the see of Cork was promoted to the archbishopric of Dublin. His life was remarkable for sanctity, and his happy death corresponded thereto.

"He was born in Limerick, and was descended from that family of the Creaghs distinguished by the name of Carrigeen. He was grand-nephew to the most illustrious and famous archbishop and primate of Armagh, Richard Creagh, who died a martyr for the faith in the Tower of London during Queen Elizabeth's reign, and whose life I have given in the year 1585. In his youth our Pierse went to Poitiers in France, where he was most carefully educated by his uncle, the Rev. Father Pierse Creagh, of the Society of Jesus. From Poitiers he went to Rome, in order to perfect himself in the divinity, and in that study he acquired great honours under the protection and wings of his other uncle, the Rev. Father in God, John Creagh, who was a domestic prelate to Pope Alexander VII., and to whose family the same pope conferred the title of duke, and gave an addition to their arms. After finishing his studies in Rome he received the order of priesthood, and then prepared himself for the mission of Ireland, which at that time stood greatly in need of zealous persons. Upon his arrival in Ireland he spared no pains or labour in confirming the Catholics in their faith, and in reclaiming to the Church those whom interest and persecution made abandon it.

In these and the like works of piety he employed himself for *three* years, when the clergy of Ireland judged him the properest person to be their agent for the mission at the Court of Rome. He condescended to their desires, and for that purpose he repaired again to Rome, where he signalized himself in procuring all the advantages and possible relief for the mission of Ireland.

"His zeal and assiduity herein was so conspicuous, that Pope Clement X. took particular notice of him, and judged him to be a fit person to fill the see of Cork, which was destitute of a pastor for *twenty-six* years before. Upon his arrival in his diocese he exerted himself in preaching, teaching, visiting it, and reforming the many abuses which crept into it during the long time it was deprived of a bishop. He continued in this holy exercise until the time that Titus Oates laid the foundation of his pretended plot, which occasioned so much bloodshed in England.\* But that the Protestants of Ireland

\* Oates did not implicate Dr. Creagh in the alleged traitorous conspiracy. The only Irish prelates he accused were Dr. James Lynch, archbishop of Tuam, whom he charged as being merely privy to the design of murdering King Charles II., the design being communicated to him at Madrid in August, 1677, and Dr. Peter Talbot, archbishop of Dublin, who was charged with employing four Jesuits, and in their default a Rev. Dr. Fogarty, to murder Ormond, and with intending the massacre of all the Irish Protestants then, and a total overthrow of the government. Other reprobates started first in Ulster to accuse Oliver Plunkett and Bishop Tyrrell. Their success invited a few in the south as abandoned as themselves to imitate their example. It was one David Fitzgerald, a Protestant of Rathkeale, that sought the life of Dr. Creagh. This nefarious villain, who styled himself Esq., was the tenant of a small farm from Sir Thomas Southwell, who distrained and impounded his cows for rent and long arrears. Fitzgerald broke open the pound and stole away the cattle. He had been some time before tried for treason and acquitted. But apprehending the punishment of the law for this other offence, he resolved to secure himself, to retrieve his ruined circumstances, and wreak vengeance on his landlord, Sir Thomas, by a tale of treasonable conspiracy, more plausible he thought and better connected than Oates's. It was he saw necessary and sufficient to have any story of rebellion believed by the furious bigotry of that day, that Popish bishops and priests should be the principal actors and contrivers. He therefore swore that he knew them to be hatching a conspiracy all along since 1652: and says, "about 1676 I saw Dr. Creagh, titular bishop of Cork, who, as Dr. Stritch told me, was then newly come from France and Rome. Bishop Mullowney soon after told me that they had more information about it (the foreign aid they were to receive) by Dr. Creagh and others lately arrived, that the Pope had already granted the dispensation from allegiance, and that France would faithfully perform its agreement." Again he swears that he attended a meeting in the house of Dr. James Stritch, P.P. of Rathkeale, at which Dr. Creagh and the bishops of Limerick and Killaloe, besides several priests, and about twenty Catholic gentlemen assisted, in order to give instructions to Dr. Hetherman, V.G. of Limerick, whom they dispatched as their agent to France on that rebellious design.—L. F. R.

may not be any way more backward than the English in promoting such wicked schemes, they encouraged the greatest villains they could find, to swear there was likewise a plot forming in Ireland. In consequences of these false evidences, the Rev. Peter Talbot, archbishop of Dublin, was imprisoned and died with the hardships he suffered. The Rev. Oliver Plunkett, Primate of Armagh, was sent a prisoner to London, and was executed at Tyburn; and a strict search was made after our Rev. Pierse Creagh, Bishop of Cork: but he retired, and sought for shelter in the woods and mountains. In *them* lonesome places he frequently assembled his clergy, and exhorted them to be perseverant and vigilant in their duty. The pursuit was so close after him, and as he *three times* escaped being taken, he thought proper to conceal himself more closely; and therefore did not stir abroad, but kept himself within doors in a house in the country. He continued here for *two years*, but at length was discovered by a neighbouring *Protestant*, who informed the Protestant bishop thereof. Immediately a guard of soldiers surrounded the house; they burst open the door and led the bishop prisoner to Limerick, where they lodged him in jail.

“He there continued confined for three months, and then an order came from the English Parliament that he should be transmitted to London along with the Rev. Oliver Plunkett, archbishop of Armagh. He was conveyed to Dublin for that purpose, but being seized there with a violent fit of sickness, occasioned by the hardships he suffered in jail, they would not transmit him to London along with the archbishop of Armagh, and consequently our holy prelate was by this means robbed of the crown of martyrdom, which the blessed primate of Armagh received there, and which his *grand uncle* Richard Creagh of Armagh received there before from Queen Elizabeth.\* For the space of *two years* our bishop is kept a prisoner in Limerick and Dublin, during which time the eyes of King Charles II. began to be opened, and he discovered that all these pretended plots *lead* to the clergy of the Catholics, were but schemes calculated by his own enemies to rob him of his true friends, that he might be exposed and naked for their attempts against his own life, which they attacked at the Rye House, but that he providentially escaped them. The king thereupon immediately changes his measures; he put to death many of those who before accused innocent Catholics; he committed Oates to perpetual imprisonment, and restored the confined Catholics, both priests and prelates to their liberty.

\* April, 19, 1681.—Janari Abbate de S. Maria writes from Brussels to Cardinal Cybo, stating that Dr. Creagh, bishop of Cork, long known in Rome as agent of the clergy of Ireland, was in prison in Dublin, and that he had not heard from Dr. Plunkett since he was sent to London, but that he learned from other sources that his witnesses were at war with each other.—“Theiner MSS.” extracts by L.F.R.

"Yet this could not be done without acquitting them according to the formality of the laws: our prelate, Pierse Creagh, is therefore conveyed to Cork to stand his trial; the judge was intent upon acquitting him, and one of the principal witnesses against him repented of his crime. But there was another witness who was hardened in wickedness, and was resolved to prosecute him with all his might. Our poor prelate is as a criminal seated at the bar, patiently listening to many lies and calumnies which the wicked fellow is laying to his charge. But just as this villain was after kissing the book, and called for the vengeance of heaven to fall down upon him if what he swore to was not true, the whole floor of the court house gave way, and with all the people upon it tumbled down into the cellar, and the rogue of a false-evidence was crushed to death in the ruins. The other false evidences who were at hand immediately fled, and none escaped falling down with the floor except the judge, whose seat was supported by an iron bar, and our prelate, whose chair happened to be placed on a beam which did not give way, and there he continued sitting as it were in the air. The judge cried out that Heaven itself acquitted him, and therefore dismissed him with a great deal of honours. But that perjured villains should not go unpunished, the judge next day got them apprehended, and was going to put the penal laws in force against them for their perjury: but our holy bishop prostrated himself on his knees before him, and with tears in his eyes begged the judge to pardon them, and it was with great difficulty that the judge, who was greatly incensed against them, condescended to his charitable request.

"After this our holy prelate continued in peace in his diocese, and when King James II. came to the throne, he exerted himself in establishing the Catholic faith, in erecting altars, in filling the parishes with worthy pastors, and in encouraging *religious* people to fix themselves all over his diocese. But this sunshine of religion was but of a short duration. For King James being expelled the throne by his son-in-law, the Protestant religion again became superior, and bloody wars were kindled in Ireland. The Catholic party made choice of our prelate to go as an ambassador from them to Louis XIV. to crave his assistance; his errand was attended with the desired success, and when he was upon his return again to Ireland, he was stopped at St. Germain's by *King James, who appointed him to be Archbishop of Dublin*, but would not permit him to come to Ireland, or quit his own person. The Bishop of Strasbourg having a particular regard and liking for him, begged of King James to suffer him to go along with him to Strasbourg, in order to assist him in his diocese.\* The King condescended to his request, and our

\* August 20, 1703.—The Nuncio in Paris writes to Cardinal Paulucci at Rome, saying, that the archbishop of Dublin had arrived at Paris, and requested him to transmit the annexed memorial to the Holy See; that he

holy prelate continued at Strasbourg exercising all episcopal functions and duties, and leading a most exemplary life until the month of July, 1705, when he made a most happy end; his remains were there buried, and a sumptuous monument erected over him. One Father Baltus, of the Society of Jesus, preached his funeral oration, and it was out of this that I extracted the above particulars of the life of this holy prelate.”—(Thus Rev. James White.—*A strictly literal copy*—L. F. R.)

learned from the queen that Dr. Creagh was a man deserving much respect, not only on account of his dignity, but also personally estimable, having shown great prudence and zeal in the government of his church; that he was now, however, reduced to great distress by a stroke of apoplexy, which deprived him of speech to some extent. The memorial sets forth that the archbishop, after having laboured more than twenty years on the Irish mission, was obliged like other prelates to fly to France, where he has been a long time destitute of benefice or patrimony; that the French king informed of his sufferings and poverty, at the request of the English queen, reserved to him a pension of 1500 livres in the Benedictine Abbey of Mormontier. But as that abbey requires no bulls of provision, being entirely dependent on the bishop, the pension cannot be mentioned in a bull as is usual on such occasions, and therefore the archbishop prays the Nuncio to obtain for him a Brief, or at least the tacit consent of the Pope, authorizing him out of respect for his character, his sufferings, feeble health, and destitute condition, to enjoy that pension which his conscience could not allow him to accept merely by virtue of a decree in council, as others do in France, when bulls are refused.—“Theiner MSS.”

## ARCHBISHOPS OF CASHEL.

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### EDMUND BUTLER.

[EDMUND BUTLER, son of Pierce, Earl of Ormond,\* a student of Oxford, then Prior of the abbey of St. Edmund, Athassel, county Tipperary, was consecrated Archbishop of Cashel in 1527. He presided at a provincial synod in Limerick in June, 1529.† He wrote a letter from Kilkenny, Feb. 25, 1548, to the Protector Somerset, in which he warmly recommends Bellingham and Walter Cowley, surveyor-general of confiscated abbey lands in Ireland, for their zeal in carrying on the reformation, and laments the destruction which the attempt brought on its authors by the opposition of the common people.‡ It has been inferred from this praise of Cowley, a decided advocate of the reformed religion, that the archbishop himself was also favourably disposed to the new system. But the inference is not warranted by any thing stated in this letter, which seems to refer exclusively to a social, not a religious change; as in it the archbishop boasts of having done the best he could for the quiet of the country, in which sundry robberies and offences have been committed, and which therefore stands much in need of 'reformation.' Again, when Cowley was ordered next year by the lord-deputy and council, without the sanction of any law, civil or ecclesiastical, to abolish within the province of Cashel idolatry, papistry, and the mass sacrament, he writes to Bellingham, June 30, 1549, complaining that the archbishop, whose presence was much required for this object, still continued in Dublin, where he could do no good.§

Dr. Butler died on the 5th March, 1550-1, and was buried in the cathedral of Cashel.||]

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### ROWLAND BARON.

[ROWLAND BARON, *alias* Fitzgerald succeeded, being elected in the first year of Queen Mary's reign (1553). From his death, 28th

\* Annals of Four Masters, *ad. an.* 1551. Wood's Athenæ by Bliss. vol ii. p. 109.

† Harris's Ware's Bishops, p. 482.

‡ Shirley's Original Letters, p. 14.

§ *Ibid.* p. 35.

|| Four Masters, Harris, and Wood.



October, 1561 down to October 2, 1567, there was no archbishop of Cashel named by Elizabeth. In the meantime the Earl of Desmond recommended his chaplain, Sir Edmund Hiffirnan, chancellor of the diocese, to the queen's majesty, and wrote to friends in his favour;\* but the see of Cashel remained still vacant. In 1565 instructions were given to Sir Henry Sidney, to consider the best means of repairing some of the evils that flowed from the appointment of unfit persons to ecclesiastical offices, and to report on the expediency of uniting the sees of Cashel and Ossory, "that have been long void."†

Sidney's design was to remove the Primate of Armagh to those sees, and to elect the dean of Armagh in his stead. By this arrangement the primate would lose nothing, "but injoy lyke dygnyte in effect whyche he dyd, more lyvyng, and in a more cyvyll place, and a greater flock to understand him than he had before;" and on the other hand, the Dean would be "greatly pleased, who is as able to dyrect Shane (O'Neill) as you and all the council are to direct me."‡ But the primate had another object in view.

Sir William Cecil thought the appointment of Christopher Gaffney, chaplain of the Earl of Sussex, to the see of Ossory would be productive of much good.§ Loftus, Curwen, and Brady supported him too so strenuously, that Sidney changed his mind, and wrote to the Lords of the Privy Council in England in his favour. Gaffney was accordingly promoted to the see of Ossory, by letters patent dated May 7th, 1567.||

It was still necessary to name a fit person to the see of Cashel, and Loftus, relying on the good character given to James Maccavill by the bishops of Canterbury and Salisbury, and other good and godly men, and seeing from private converse with him his merits, humbly prayed Cecil to further his preferment.¶ Maccavill was at length appointed archbishop of Cashel in 1567. To show his own disinterestedness the more, Loftus at first warmly recommended Brady, bishop of Meath, for translation to Dublin (April 29, 1566), but afterwards expressed his deep regret for having done so; "because he could show such matter, as he would be (God was his witness) loath to utter by any means, but least of all by writing." *Asks for*

\* Desmond's letter is dated February 18, 1561-2. Shirley, p. 109.

† On these words Mr. Shirley observes, p. 206: "Ossory had been filled in the time of Queen Mary, and on the flight of Ball by John Thonory, who, according to Ware, died this very year (1565); but from the expression here used, 'long vacant,' we must understand the death of Ball in 1563 to be intended," and therefore that Thonory could not have been recognized as a Protestant bishop.

‡ Letter to Cecil, Nov. 24, 1565. Shirley, p. 229.

§ Letter to Sydney, March, 1, 1565-6. *Ibid.* p. 231.

|| *Ibid.* p. 252.

¶ *Ibid.* p. 263-280. Letters to Cecil, July 3; Nov. 7, 1566.

*Christ's sake that his own appointment may be ratified as speedily as possible. The queen's pleasure to this effect was made known through Sydney, 11th March, 1566-7.\*]*

### MAURICE FITZGIBBON.

*"Mauricius Gibbonus, Casseliensis Archieps., extorris in Hispaniam fugere coactus, in civitate Portuensi mortuus est in exilio circa annum Domini 1578."†*

MAURICE FITZGIBBON was born of the noble family of the earls of Desmond, and connected by blood with most of the nobility of Ireland. The fact is related both by himself, and Sir Francis Walsingham, ambassador from England to the court of France. He seems to have had possession of the temporalities of the see of Cashel, for he complains of having been turned out of them, and acknowledges that he had insulted (*outragé*) the Protestant intruder. His application for pardon, not because of any attempt on life, but only because he departed from Ireland without the queen's permission; the promise and assurance of forgiveness, of royal favour, and of his former archbishopric or a full equivalent, if he would return to England and be obedient to the queen, which he firmly refused on such conditions, are equally demonstrative of his attachment to the faith, and of his innocence of the crime laid to his charge—the attempt to murder his successor.

He fled from Ireland about the beginning of the year 1568-9,† and having reached France in safety, resided some short time at Nantes. From thence he passed into Spain, where he was honourably received by the king and court, allowed a pension of about 2000 ducats a year, and an additional sum of two or three hundred ducats to provide for his expenses in following the court when it changed from one place to another. While he resided at Madrid, the notorious Stewkley§ came there (through England from Ireland) in Sept., 1570, and requested an interview with the archbishop before he should present himself to the king. He came to his Grace's house, told him he had come to Spain for the sole purpose of treating with the king on the means of reducing Ireland to his obedience, and thereby extirpating heresy and restoring the Catholic religion, and therefore besought his Grace, as he was acquainted with Car-

\* *Ibid.* p. 294.

† *Hib. Dom.* p. 601.

‡ Robert Ware in his *Annals of Elizabeth*, p. 12, under the year 1568, says, the titular bishops of Cashel and Emly, with the youngest brother of the Earl of Desmond, were sent over with letters to the king of Spain and the pope by Desmond and his confederates in Munster, to implore their aid in rescuing their religion and country from oppression.

§ Stukely or Stewkely.

dinal Spinosa, President of the Council, to obtain for him an audience of his majesty. The archbishop refused to interfere, observing that the king would not attempt it now, being on such good terms with the English; that he himself, however anxious for the establishment of the Catholic religion, entirely disapproved of such means of effecting it; and that he would not wish to see his country under the dominion of any other crown than that of England. Stewkley then applied to the Duke of Feria, by whom he was introduced to the king, who treated him with every attention, assigning a splendid house for his residence, bestowing on him 6000 ducats, and making a liberal allowance for the support of his table, which must have been considerable as Stewkley spent not less than thirty ducats a day. Another conference was appointed for Stewkley on the second day following. The king sent for the archbishop and inquired about Stewkley. He replied that he had not known him till his late arrival in Madrid, but that he heard he had been a pirate, and was a dissolute, prodigal, extravagant man, of no reputation in his own country though of a good family. When the king proposed the project, and said that Stewkley had prepared all the Irish nobles to receive the Spanish forces, the archbishop told his majesty that he had no such influence with the Irish nobles, who deemed him a cheat and a swindling impostor, who, to find means of gratifying his extravagant expenses, tried to deceive and impose on every one. These answers were not expected. The king observed that Stewkley had been recommended to him by an ambassador as a person he might rely on, and the grand prior who was present said, our archbishop did not wish to see Ireland under the king of Spain. The Duke de Feria soon after had a similar conversation with his Grace, in which he added, that the king had taken up the design, that the Duke of Ireland, *i.e.* Stewkley, had at his devotion not only the nobles, but most of the soldiers and officers in the garrisons through Ireland; and that the duke had property abundant in Ireland when he could recover it to support his title. To these the archbishop replied as before, cautioned Feria against the imposture, and told him Stewkley had neither title, lands, or credit in Ireland. Stewkley's arrival interrupted this conversation, and brought down a torrent of abuse upon the archbishop.

Dr. Fitzgibbon seeing that the attempt would be made, and fearing he might be suspected of having any part in it himself if he continued to reside in Spain, left that kingdom towards the end of January, 1570-1, and came through Nantes to Paris. Soon after his arrival, Sir Francis Walsingham, then English Ambassador at Paris, gave him a very welcome audience—and with that political *finesse* for which he was so eminently distinguished—he interrogated the archbishop on the different incidents of his history since his departure from Ireland, promised to write in his favour to Elizabeth and her ministry, and held out hopes of his being restored to royal

favour, to his country and see. But then he expected the archbishop would act frankly and openly with him, would tell him all he knew of Stewkley's proposal and the projects of Spain regarding the invasion of Ireland; represented to him that he would be branded as a traitor, that he would blast his own prospects of restoration, and injure his country, if he withheld any useful information, and thereby endeavour to introduce Spanish dominion, everywhere tyrannical, into Ireland, which enjoyed under England as much liberty as other nations, and would have nothing to complain of, if she only conformed to the kind regulations the queen had established for elevating her people from barbarous and superstitious habits, to the practice of true religion and social virtue. Dr. Fitzgibbon assured him of his dislike of Stewkley's plot, replied directly to all his inquiries, and told him Stewkley was to embark from Spain about the end of April, and that Julian Romero was to be charged with the expedition. He moreover promised a detailed report in writing of the whole plan and of the means to defeat it, as soon as the queen's permission was granted him of returning to his country and the government of his diocese, on which he requested to be informed in the course of twenty days.

Walsingham immediately sent home to Cecil (Lord Burleigh) a full account of the entire conversation, in a long letter dated Paris, March 19, 1571. But he appended to it a declaration of his suspicions that the archbishop was not sincerely attached to the queen's cause, insinuating he was dissatisfied with Stewkley's arrogating to himself the whole glory of a plan originally invented by Fitzgibbon. The grounds of his suspicion he said were—1°. that he was privately informed that two Irishmen sent off from Spain by this archbishop, had procured the private supply of French troops which La Roche had conducted to Ireland; 2° that Fitzgibbon had now come over from Spain at the request of the Cardinal Lorraine, the decided enemy of England; 3°. that he wishes to bring away to Spain the son of James Fitzmaurice, now at Brest, in Brittany; and to these reasons he adds, in fine, "I cannot forget his nation and his creed."\* His nation and his creed were

\* The affair of the Frenchman, La Roche, only alluded to in the preceding narrative is more fully developed in other letters and dispatches of Walsingham's. Walsingham was told by his spies in France, that La Roche, who had formerly served in the army, and was at this time a knight of the order and a gentleman of the king's bedchamber, had gone over to Ireland and landed troops and arms there in the service of Fitzmaurice, and on his return brought with him two sons of Fitzmaurice as hostages, whom he left with one of his own relatives in Brest. He employed a French officer, who possessed La Roche's confidence, to sound him on the subject, and ask him if he had been in Ireland. From the weakness of his denial and his manner, both the treacherous friend and Walsingham inferred that the whole story he had been told was true; part of it being, as appears from the preceding, that La Roche

not forgotten by others also: one Higgins was employed as a spy upon him while in Spain, and sent over repeatedly unfavourable reports to secretary Cecil (Lord Burleigh) regarding him, particularly with reference to Stewkley's project. The archbishop was not ignorant of this, he remarked it to Walsingham, expressing his apprehension that it would be difficult to obtain Burleigh's support to his obtaining any royal favour, in consequence of the impressions made on his mind by Higgin's calumnies. Walsingham pretended he knew nothing of Higgins, when the archbishop told him he was again committed to prison in Spain. Walsingham let that pass as indifferent, and a matter he took no interest in. But though Walsingham praised his loyalty and zeal, and promised frequently to inform her majesty thereof, and to forward his application for

had been engaged in the matter by two Irishmen, sent over for the purpose from Spain by Fitzgibbon, archbishop. Walsingham heard this in France, and so did Elizabeth from a report of her viceroy in Ireland, before January 26th, 1570, as appears from a letter of that date from Cecil to Walsingham, directing him to complain to the French king thereupon. February 8th, 1570, Walsingham writes to Cecil, saying, he had complained to the king and the queen mother of France separately, who disavowed all knowledge of it sincerely, and promised the offenders should be severely punished; and that while writing, a spy of his predecessor there, Sir Henry Norris (this was the vile Bath), called on him to tell him the enterprise was not to be overlooked, that unknown to the king it was forwarded by the Pope's Nuncio and the Guises; that the nuncio offered Monsieur (the king's brother), 100,000 livres to engage him to join, and though he did not promise this, the full sum had already arrived in Paris. He wrote the same day to Sir Walter Mildmay, saying the king of Spain, the Pope, and Cardinal Lorraine were all in the plot. Elizabeth herself, in a dispatch of February 11th, 1570, before the receipt of his of the 8th, desired him not to forget speaking to the king about the French Captain (La Roche), who brought over with him a son of James Fitzmaurice. February 25th, 1570, Walsingham wrote to Cecil saying, he had fully developed the matter to the king himself, with whom he had said but little on it before but only to his mother; and added to the above, in proof of La Roche's guilt, that lately he had left Paris and said he was going on an enterprise.

February 22nd, 1571—After a year Walsingham and Sir J. Smyth wrote that they again spoke to the king and queen mother, inquiring what had been done to punish La Roche, and adding, that one Stakbold had been lately taken prisoner in Ireland, who avowed he had been sent by Cardinal Lorraine to assist Fitzmaurice and rouse the Irish to rebellion, and that Lorraine had promised to give the earldoms of Ormond and Ossory to Fitzmaurice; that twenty *arbuquisers* still remained in the castle. Both denied all knowledge of the matter; the queen said, "oh yes, I remember some such thing a year ago, going on by a bishop that came from Spain (the archbishop of Cashel), but the king had arrested La Roche who denied it most positively, and insisted there was not a French soldier in Ireland," to which they rejoined, yes, but he left the *arbuquisers* which should be brought home. They had heard nothing of that before, could give no answer, but thought it not so.

being restored to his country from which he fled to provide himself with the means of subsistence after falling under the lord deputy's displeasure, and to his former dignity from which he had been forcibly expelled; yet he zealously cautioned him against returning then to Ireland, saying he would thus excite suspicion that he came over only to tell his countrymen the plans of Spain regarding them, and to rouse them to rebellion. And though the archbishop assured him if he had any such intention he could, and of course would, have gone directly from Spain to Ireland, yet the ambassador repeated his wily advice. But, notwithstanding Walsingham's sweet words and treacherous promises, the archbishop had no sooner retired from his presence than he provided spies to gain his confidence, to visit and be visited by him, and to report his every movement, and the names and movements of every one who paid or received a visit from him. The principal and most treacherous, and I believe most calumnious of these was a Captain Thomas Bath, an Irishman, and brother to the then recorder of Drogheda, a man reared up, says Walsingham, among the English, who has adopted their manners (and no doubt their religion), and has rendered important services this way to my predecessor here, Sir Henry Norris, and to myself. Other Irish soldiers were also employed.\*

Bath was directed by Walsingham to visit the archbishop as his countryman, and as a gentleman to pay him every kind of civility and attention, and offer his services at the French court in every way he could. He did so, and reported to Walsingham that the archbishop was mightily pleased with him, and in a few days asked him to procure for his Grace an audience of the Cardinal of Lorraine. Accordingly Bath accompanied the archbishop to the cardinal's palace, where the archbishop alone had an interview of two hours. Bath endeavoured in vain to ferret out its purport, but the archbishop requested him to speak highly of his Grace's influence in Ireland, of the disaffection and defenceless weak state of the kingdom. Bath at once crept into Walsingham to make this report, whether true, false, or exaggerated. Walsingham advised him to fall in with the archbishop's views, but in the mean time, to tell the cardinal that the archbishop was no doubt of a high family and extensive connections, but had at present little influence, as the heads of his (the Desmonds) family, were now imprisoned in England; and moreover, that Ireland was not so weak or easily conquered, as the garrisons had been lately reinforced, and vessels of war sent on her coasts.

\* [See Walsingham's letter to Burleigh, Paris, 19th March, 1570, p. 58—of the "COMPLEAT AMBASSADOR, or Two Treaties of the intended Marriage of Queen Elizabeth, of glorious memory; comprised in letters of negotiation of Sir Francis Walsingham . . . faithfully collected by the truly honourable Sir Dudley Digges, Knight, late Master of the Rolls." Lond., 1655.]

Bath a few days after came to tell Walsingham that the cardinal had sent for him to inquire about the archbishop and the state of Ireland, and that he had answered as directed, and thereby ruined the archbishop with the cardinal. Walsingham believed, therefore, that as he was in distress, which he judged from some of his letters to the cardinal, and had lost the cardinal's favour or confidence, it would be easy to get information from him about Spain, if he could be persuaded that the queen would restore him. On the 4th April, 1571, he sent another dispatch to Lord Burleigh to that effect, reciting the above reports of Bath, and also another conversation he had himself with the archbishop on the 29th of March. On this occasion Walsingham falsely asserted that he was directed by Lord Burleigh to inform him that his lordship had written to the queen in his favour, and expected soon an answer which he should communicate to him without delay; and that as Burleigh intended to act generously with him, he expected the archbishop would act confidently in turn; that the archbishop might rely on the greatest secrecy, and that Burleigh offered cordially his services to do for the archbishop anything in his power. Fitzgibbon was not, however, so easily deceived; he repeated what they knew already, and was ready to supply every detail as soon as the royal favour was restored. He had come to France, he said, in order to secure this and return to his country, where with his relatives and the gentry he possessed, he thought, credit and influence, and could do much service. But if he could not succeed in his object here, he would return to Spain, where he was sure of being well treated as usual. And in proof that this was his design, he added, that he had left on his journey much of his luggage and four persons of his train at Nantes, intending to send for them if he were allowed to return to Ireland, and if not, that as soon as he had finished his business at Paris he might have them before him on his return to Spain. In the mean time he would remain in obscurity and incognito till the queen's will was known. In this conversation the only information he gave was, that the young Fitzmaurice was at Morles in Brittany, and that Stewkley had sent a man from Spain to ascertain what he was doing there and to decry him if possible.\*

Elizabeth's answer came at last in a letter written by herself to Walsingham, dated April 8th, 1571.

"ELIZABETH QUEEN,

"We have seen by your's to Lord Burleigh the conversation you had with an Irishman, *soi-disant* archbishop of Cashel, and the submission he pretended to make for the *fault* he committed in *quitting Ireland*; and considering the condition of the person, and the advantages to be derived from knowing the intrigues with which

[\* Walsingham's letter (56) to Lord Burleigh, April 4, 1571.—*Ibid.* p. 73.]

he is so well acquainted, We will that if you think he intends to be obedient and to ask pardon, you encourage him thereto, and press him to come over here (to England), where he may rely on obtaining favour, if he ask it with humility and deserve it afterwards by telling the truth. If the general language will not persuade him without greater assurances on our part, tell him you have written to Us so strongly, that We have authorized you to inform him that he may come to England, and there use the proper means to regain Our favour. If he appear to repent of his fault and be disposed well for the future, you can promise him as good a subsistence as what he heretofore had. And that if he should not obtain our favour *as* he desires, you are authorized to give him a passport of safe-conduct by which he can return safely, which you will add is a favour We very seldom grant, and do grant on this occasion only at your urgent request. We desire you accordingly to sign a safe-conduct for him. But if you find he intended to trick you, as We perceive from your letter you have some suspicion of, then you will act very differently with him, first trying to get out of him what knowledge you can, and then collecting all the facts and reasons you are able to make out against him; and exert every possible means with the king (in particular dwelling on his friendship for Us of which he has so lately given such assurance), that he (the archbishop) should be delivered up to you as a traitor and as a known rebel, principally on account of what he has done in Spain, though it be himself that discovered it in his defence and vindication of himself. We have the more reason to distrust him, as Rogers, the bearer of your letter, told us, that after leaving Paris he met an Irishman at St. Denis, who told him the archbishop had been secretly at court, and that he was just ready to be sent off to Spain by the Cardinal Lorraine.

\* In the dispatch of Elizabeth to Walsingham, February 11, 1570, she desired him complain to the Spanish Ambassador at Paris, that she *knew* some of the Irish rebels were well received by his king in Spain; and that they said they fled and suffered on account of religion, though they had no religion, in order to procure more sympathy for themselves and aid for their brothers in rebellion. Also, that one Thomas Stewkley, an Englishman, of respectable friends but prodigal, and who must be notorious for his former debauchery in Spain, of whom she will say nothing because she could say nothing that was not bad—that she had done him favours herself on his apparent repentance and in hopes of reclaiming him, but that coming here from Ireland, he went abruptly *last summer* to Spain, there produced papers signed by rebels of Ireland and England, made proposals of invading Ireland, and made a great show on other people's money—that other rebels joined him there, and were well received by the king—that it was not so she acted with his subjects, etc. Walsingham also says Stewkley was an Englishman, and received much money from the king, but after some time was suspected of not being so important as he said, and money was given then more sparingly; that he and Fitzgibbon quarrelled: this last is also asserted by Sydney, lord-deputy of Ireland.



If that be true, We doubt not, the Irishman has told you also. We leave the matter in your hands to treat him according to your discretion.

"Given under Our seal at Our palace of Westminster, the 8th day of April, in the 13th year of Our reign."\*

This letter so illustrative of Elizabeth's character, talents, and principles I thought worthy of being more widely published.

On the 22nd April, 1571, Walsingham wrote to Lord Burleigh (letter 60th) telling him that before the receipt of her majesty's dispatch, the object of the archbishop at court had been completely frustrated by the cleverness of (the *soi-disant*) Captain Bath, who dextrously contrived to so plan that the archbishop sent him to Monsieur on the very day he (archbishop) had his conference with him (Monsieur). Monsieur asked many questions about the soil, government, etc., of Ireland; if it were fertile and of much value to the queen. To which the Captain replied that it was very barren, that the queen lost more by defending it than it was worth, that the archbishop had been banished from Ireland on account of "certain disorders there committed," and that he had since then gone from country to country seeking assistance or support from different princes, and pretending he had great influence at home. Monsieur, believing all this as coming from one he knew so well, bade the Captain tell the archbishop he had not time to see his Grace, but he might write a statement of his wants, and he would befriend him with the king. The archbishop did write explaining his poverty, and 200 crowns were sent him by order. Such was the account the Captain gave Walsingham of the transaction: and Walsingham tells Burleigh he sends it in full to him, not so much to let him know the archbishop, as to recommend to his favour the Captain whom he and Sir Henry Norris had found extremely useful in discovering every plot about Ireland: his life, indeed, would have been often in danger if all he did and told were known. Walsingham also states in this letter that, after the receipt of the queen's dispatch, he had a conference with the archbishop as directed, that he had tried every means and repeated all the promises as directed by the queen, and in the most engaging way, but all he could say could not persuade him to go to England. The archbishop further said, unless the queen granted him the favour he demanded in a petition signed by his own hand, and which Walsingham transmitted, he would never return either to England or Ireland. He then left Walsingham saying, he would wait another twenty days for the queen's answer, and in the mean-

M'Geoghegan, tom. 3, says Stewkley went to Rome from Spain, got men, vessels, and money, came back with them to Lisbon, and brought them against the Turks for the king of Portugal, and that in battle he and most of them were killed. The remnant came over and occupied Limerick.

\* [COMPLEAT AMBASSADOR, p. 76.]

time he would go to Nantes on some business, and then returning would delay his departure for Spain till after the expiration of the twenty days.\*

I cannot help remarking, that there is a silence in this multiplied and lengthy correspondence which conveys a lofty panegyric on the learning, talents, and unblemished character of our archbishop. Had he been an ignorant person of mean extraction, had he been a man of violent or strong passions, were his morals not edifying, or were there a spot in his life on which the malice of his enemies could fasten, his vices or defects would have been re-echoed from Paris to London, and from London to Madrid. There was no disposition to conceal his faults; on the contrary, the queen decries his family, her ministers exert their utmost ingenuity to gather together a semblance of probability for suspecting his motives, their spies invent palpable and afterwards detected falsehoods to impeach his politics, but no one dares to impugn the extent of his information or the purity of his morals. Besides a numerous gang of spies and tattlers, Walsingham, Burleigh, Sydney, Leicester, and Elizabeth herself, are all writing to depreciate the Catholic archbishop, and to raise objections to his restoration; and yet none of them say he had wounded his successor with a skeyne, and sacrilegiously drawn the blood of one whom they considered the Lord's anointed.

It is moreover obvious from the tenor of the correspondence, that if the archbishop would only promise to be obedient to the Queen, and well disposed for the future, he would no longer be as they style him the self-called archbishop of Cashel, but the Queen herself, as the supreme head of the British Church, would call him by divine commission archbishop of that or some other equally dignified church. Those that are read in the language of those times, will easily discover taking the oath of supremacy and conformity to the new creed under the assurance to be exacted of obedience and good dispositions. Fitzgibbon had too much prudence to be imposed upon by the schemes that were laid to entrap him into an abandonment of his religion. He wished to regain his see, but not at the expense of his conscience. He therefore wrote a petition to Elizabeth by the direction of Walsingham, who transmitted it to the Queen, begging to be pardoned his departure from Ireland without her leave, and to be allowed again to govern the see of which he had been deprived; but acknowledging no regret for not having taken the oath of supremacy or any other fault, and promising civil obedience and fealty in terms so precise and definite, as to preclude all hope of his future apostasy.

Queen Elizabeth accordingly in a formal dispatch signed by her and sent to Walsingham, in answer to his on this subject, expresses her dissatisfaction with the terms of the petition of, as she calls him,

\* [Walsingham to Burleigh, *ibid.* 79.]

the fugitive Irishman, naming himself archbishop of Cashel. "We see," she says, "by yours of the 22nd April to Lord Burleigh, how you have negotiated with Maurice Fitzgibbon, the fugitive Irishman calling himself archbishop of Cashel, and after having examined what he asks in the paper signed by his hand, We less disapprove of his expecting favour and the restitution of his archbishopric, than of the manner in which he asks it, without at all acknowledging fault, and wishing to go directly from Paris to Ireland without coming to England, where he should by his submission obtain what he asks. Wherefore, We wish you to write to him and let him know We are not satisfied with the negligent manner in which he makes his demands, and that unless he humbly asks pardon of his faults, and shows sorrow for them, and a disposition to become a faithful subject in Ireland, We have neither favour nor archbishopric to give him. But if he come over to England, We will confer favour on him according to the humility with which he asks it . . . . Our design is to send him back to Ireland with honour. Given under our seal at our palace of Westminster, May 5th, 1571, and thirteenth of our reign."

On receipt of this dispatch, Walsingham immediately wrote to the archbishop who was still at Nantes, communicating the Queen's determination almost in her own words, and on the 14th May to Lord Burleigh to inform him thereof, and to say he had heard that the archbishop sent two of his domestics from Nantes to Paris, but he had not yet known what was the object of their visit (letter 74). Whether or not these domestics brought any message to Walsingham, or whether the above letter put an end to the conferences between him and Fitzgibbon I cannot positively say. Certain it is, that his published letters contain no allusion to his Grace from this period forward; and that judging from the archbishop's determined refusal to yield to any conditions but those written with his own hand, we may well suppose further correspondence was deemed useless on both sides.

[From Dr. Burke's brief narrative we should infer that Dr. Fitzgibbon continued in exile the rest of his life, and died in Oporto about the year 1578.\* But Antony Bruodin distinctly reckons the archbishop of Cashel among those who suffered for the faith in Ireland. "Maurice Gibbon," says he, "a native of the province of Munster, in Ireland, archbishop of Cashel, a prelate endowed with every virtue, was arrested by the queen's officials for refusing to take the oath of supremacy, and confined in the prisons

\* Hib. Dom. p. 601. So also *Epitome Tripartita Martyrum*. Eulogia Martyrum Hiberniæ, p. 57. "Interim diutino labore exercitus (Gibbonus), dum succrescenti persecutioni decrescentes vires impares esse sentiret in Hispaniam secessit, ubi damnatus exilio ex hac arena sublatus est 1578." The weight of authority is altogether on the same side.

of Cork many years, where he died on the 6th May, 1578, after enduring much hardship."\*]

### DARBY O'HURLEY.†

[DARBY O'HURLEY was born in the small village of Lycodoon,‡ three miles from Limerick, about the year 1520. His father, William O'Hurley, was a farmer, and agent to the Earl of Desmond; and his mother, Honora O'Brien, descended of the noble house of Thomond.§ After pursuing his studies at Louvain and Paris, he became Doctor and Professor of Theology in Rheims, where he was much distinguished for piety and learning.|| Proceeding thence to Rome, and being there appointed archbishop of Cashel by Gregory XIII., he prepared to visit at once the flock committed to his care; but the dangers of a journey to Ireland in those days, particularly for a bishop or one occupying a high place in the Church, were so great that he remained some time in Brittany. O'Neill, abbot of the Cistercian monastery, in Armagh, and other Irish ecclesiastics were waiting there also for a favourable opportunity to undertake the voyage.

Dr. O'Hurley sailed in a ship bound for Waterford, but gave his Bulls and papers to a Wexford merchant, because he might have been searched either at the port he left, on sea, or where he landed; particularly if the captain or crew happened to be Protestants, and any papers would be used in evidence afterwards. He felt it still his duty as a bishop, to bring the necessary documents in proof of his commission from the supreme pontiff, and not to intrude himself as Protestants do, without authority into the fold of Christ.¶

The merchant's ship fell in with pirates, the papers were seized, and a strict search made for the archbishop himself, who landed in the meantime safely in Drogheda. Thence he proceeded to Waterford, where he met Walter Baal, a wretched spy, who watched him closely, and denounced him to the government officials in Dublin. The informer's treacherous designs were happily made known both to Dr. O'Hurley and the priest who accompanied him as companion

\* Propugnaculum Catholicæ veritatis auctore R. P. F. Antonio Bruodino Tuomoniensi, Hiberno—Pragæ, 1669, p. 432.

† The only account of Dr. O'Hurley's life in Dr. Renehan's MSS., is made up of brief extracts from Rothe and O'Sullivan. Rothe's narrative I give here at greater length with a few additions from other sources, and a literal translation of O'Sullivan's history.

‡ Name still retained in the *townland*—no longer a village—of Lycodoon, parish of Knockea, now the property of William Smith O'Brien, Esq.

§ Rothe, *Analecta*, p. *tertia*, p. 48. *Coloniæ*, 1619.

|| A. Bruodin, p. 446.

¶ Rothe, *ibid.*

and guide, John Dillon, brother to the chancellor, through the kindness of a Waterford citizen, at whose house they lodged. Dillon was arrested and cast into prison, and released only through the intercession and influence of the chancellor.

Dr. O'Hurley fled to the Castle of Slane, where he was kindly received by Catherine Preston, the wife of Lord Slane. At first he dared not leave his own room, but growing more confident by degrees, he appeared at the public table, and dined even with strangers. One day the chancellor, Robert Dillon, came on a visit to the castle, whether by accident or design no one could tell, and the archbishop conversed with him during dinner with such grace and eloquence, that the chancellor's suspicions were excited, and he determined to make strict inquiries regarding the character and mission of this distinguished stranger. Lord Slane was immediately sent for, and ordered under the heaviest penalties to bring the archbishop to the Castle of Dublin with the least possible delay. With this unjust mandate the earl determined to comply, partly through fear of losing his estates, and partly through weakness of faith; but before his return from Dublin, Dr. O'Hurley had escaped to Carrick-on-Suir. The Baron and his officials pursued him thither and placed him under arrest, against the strong remonstrance of Thomas Butler, surnamed the Black Earl of Ormond, who then held the castle.

On the journey to Dublin, when Lord Slane slept at the houses of friends or at public hotels, the good archbishop was flung each night into one noisome jail after another in the several towns through which they passed. After their arrival, Dr. O'Hurley was examined as usual before the council. Loftus' demeanour was mild and conciliatory; he thought to induce the archbishop by repeated entreaty to subscribe the oaths of supremacy and allegiance, while Wallop, her majesty's treasurer, had recourse to violent threats and invectives. But all in vain; for nothing could change Dr. O'Hurley's purpose, and no ground of complaint could be discovered, and no pretext assigned for this unjust proceeding. Seeing all their efforts to be unavailing, the Lords Justices proposed at first to send the archbishop for trial to England—a course which, on reflection, they felt could not be justified, because Ireland enjoyed as yet her own laws and institutions, according to which each one accused of crime must be tried and sentenced. They then resolved to subject this pious prelate to torture, in the hope that if no confession of guilt could be wrung from him, and no secret disclosed, he might be still driven to deny the faith under such excessive tortments. No means were left untried to shake his constancy. They even sent his only sister, Honora O'Hurley, to visit him in the midst of his sufferings, hoping that she might induce him to alter his resolution, but he implored her to fall on her knees and ask forgiveness of God for this great crime. When offered pardon and honours, he

said, while he could enjoy them in health and strength of body, he declined accepting them on the terms proposed; how could he now, deprived of all his senses, desert his faith and duty to God for what he could no longer enjoy? He was then sentenced to be dragged to the place of execution, there to be hanged, his head cut off, his body quartered, and the quarters hung up on the four gates of the city. The holy martyr was accordingly executed in Stephen's Green, on the morning of Friday, the 6th of May, 1584, in the sixty-fifth year of his age, and the remains deposited in the churchyard of St. Kevin.\*

## MARTYRDOM OF DR. O'HURLEY.†

*Translated from O'Sullivan.*

DIARMIT O'HURLEY, the son of an Irish knight, was carefully instructed in his youth by his own parents, and sent afterwards when he grew up, to study in the Universities of Paris and Louvain, where he distinguished himself above his contemporaries by rapid progress in the various branches of knowledge. Few men of that age were better acquainted with grammar, rhetoric, canon or civil law. After receiving the degree of doctor of divinity and of laws, he gave public lectures for four years in Louvain. Proceeding thence to Rome, his grave and dignified manner and exemplary life soon attracted the notice of Gregory XIII., who appointed him to the see of Cashel. Dr. O'Hurley prepared to return immediately to Ireland to undertake his sacred duties at the most eventful crisis in the history of his country, when Queen Elizabeth, the unrelenting enemy of the Catholic religion and of its ministers—bishops and priests—held the sceptre of England. The ministers of that queen surpassed herself in cruelty; not only the officials who enjoyed power in England, where the light of faith had been long extinguished through their unholy efforts, but those who governed Ireland, where the Catholics bear even still the fury of persecution for their devotion to the faith. Notwithstanding these trials the holy prelate, Dr. O'Hurley, administered the sacraments with incredible zeal and labour to the flock entrusted to his care, and continued to preach the gospel with great success.

For two whole years English spies sought every opportunity to seize on his person; but their plans were frustrated by the fidelity of the Irish Catholics. In order to escape notice, he wore generally a secular dress, as indeed all bishops and priests are obliged to do in England, Ireland, and Scotland, ever since this persecution first broke out.

\* Rothe, *ibid.*; A. Bruodin, p. 448; Stanihurst; and Mooney. O'Sullivan says the 7th June. *Vid. infra*; *Epit. Tripart.*, the 10th of June.

† O'Sullivan, *Hist. Cath.* tom. 2, lib. iv. c. xix.

It happened at length that while Dr. O'Hurley resided with Thomas Fleming, an Anglo-Irish baron, in the Castle of Slane, Robert Dillon, one of her majesty's judges, came there also on a visit. During dinner the Protestants delivered their opinions on some important religious question with much freedom, each expressing different and strange views. The archbishop after a time felt himself bound to interpose, and ably refuted their assertions. Dillon saw at once this was probably some distinguished personage who was sent to oppose the progress of heresy in Ireland, and he made known his suspicions to Loftus, the Irish chancellor, and to Henry Wallop, the chief treasurer, both of whom governed the country in the absence of the viceroy. Orders were issued immediately to Lord Slane to bring the stranger to Dublin, but Dr. O'Hurley fled in the meantime to Carrick-on-Suir, where he was arrested in September, 1583. Thomas Butler, surnamed the Black Earl of Ormond, protested against this injustice, and used every exertion afterwards to obtain the archbishop's release; but all to no purpose. To rescue him forcibly was the only means likely to succeed; and this the earl ought have done, and probably would have done had he not been a Protestant. The archbishop was hurried off to Dublin, and kept bound there in chains in a dark and loathsome prison up to Holy Thursday of the following year, when he was brought before the Lords Justices—Loftus and Wallop. At first they received him kindly, and promised a free pardon and promotion in the church, if he denied the spiritual power of the Pope and acknowledged the Queen's supremacy. He had resolved, he said, never to abandon for any temporal reward, the Catholic Church, the Vicar of Christ, and the true faith. Loftus and Wallop seeing that promises would not avail, had recourse to arguments. They raised different objections, but would not listen to any answers. The archbishop protested openly against such absurd and frivolous sophisms being proposed to him, who had been educated in the first universities. On hearing this the heretics became more enraged. If arguments failed to convince him, they said, other means must be tried to change his purpose. The holy prelate was then bound to the trunk of a large tree, with his hands and feet chained, and his legs forced into long leather boots, reaching up to the knees—as they used to be worn then. The boots were filled with salt, butter, oil, hemp, and pitch, and the martyr's body stretched on an iron grate over a fire, and cruelly tortured for more than an hour. The pitch, oil, and other materials boiled over; the skin was torn off the feet, and even large pieces of flesh, so as to leave the bones quite bare. The muscles and veins contracted gradually, and when the boots were pulled off, no one could bear to look at the mangled body. Still the holy martyr, notwithstanding these tortures, kept his mind fixed on God and holy things, never uttered a word of complaint,

but quietly submitted to all these trials with the same serene countenance to the very end; as calm and as happy apparently, as if wearied by labour and watching, he had laid his head on a soft pillow under a shady tree by a running stream in the heat of summer. When the tyrants thought they had broke the spirit of the martyr—whom no tortures could move—they ordered him back again to the same dark and noisome dungeon, to make him suffer still greater torments, if such could be devised.

There happened to be then in Dublin a priest of the Society called Charles M'Morris, who had much experience in medicine and surgery, and who had been himself confined in prison by the English, but released on account of the skill with which he treated some noblemen when suffering from dangerous illness. This father went to visit the archbishop, and applied remedies which proved most useful: so that he was enabled to sit up in bed within less than a fortnight. The chancellor and treasurer were soon informed of the cure, and of the determination of the Earl of Ormond to procure the archbishop's release. It was even told them that the earl had already set out from home for that purpose. But they resolved not to give their unhappy victim the least chance of escape. They ordered him to be executed immediately; and lest there should be public excitement, or any attempt made to rescue the archbishop, the soldiers were instructed to bring him to the place of execution before daylight, and to hang him at an early hour when the people could have no notice. These orders were carried out strictly; only two of the citizens followed their pastor, and a friend who had watched over him with the greatest anxiety from his first arrest. It is said the holy martyr, as he was led forth, seized the hand of this friend, and pressing it closely, imprinted on it a red sign of the cross, as a lasting proof of his gratitude, and that this mark could never be effaced. Dr. O'Hurley was hanged on the 7th June, 1584, and on that day received the reward of his labours in Heaven. According to an old tradition, a noble lady who was possessed by a demon for many years, was cured on the very spot where the archbishop died.

William Simon, a citizen of Dublin, removed the martyr's body in a wooden urn, and buried it secretly in consecrated ground. Richard, a distinguished musician, celebrated his sufferings and death in a plaintive elegy, called the "Fall of the Baron of Slane."]\*

\* The *Writers of Ireland*, by Ware (Harris), book i. p. 98.—"Darby Hurley, a civilian and philosopher, writ, in *Aristotelis Physica*, lib. 1. I know not whether he is the same person with Dermot Hurley, titular archbishop of Cashel, whom the author of the *Analecía* says was executed at Dublin in 1583."



## THURLOUGH O'NEILL.

[In two of the three lists of Catholic bishops since the Reformation left by Dr. Renehan, I find "O'Neill" (there is no Christian name) as the successor of Dr. O'Hurley; and in one of them, 1584 given as the date of accession: without reference, except to obscure passages in Sir J. Perrot's life, and the statutes of Cashel, published 12mo. Dublin, 1813.

These authorities I have carefully examined without being able to throw additional light on the archbishop's history. In Sir J. Perrot's life we are informed, that the rebellion of *Turlough Lyunagh O'Neill*\* was "discovered by the archbishop of Cashilles, who did impart unto the Lord Deputie certain letters which Turlough Lyunagh wrote unto the archbishop of Cashilles to this effect—that Turlough challenged the archbishop to be his *follower borne*, and therefore to be trusted, and that he should find Ulster his refuge when all other parties fayled; and finally, that he should credit the messenger."†

The archbishop, being sent for to Dublin, told Perrot that the messenger was to prepare all in Munster and Connaught for the rebellion, and that many accomplices were already engaged. He was then directed by the Deputy to receive the messenger kindly, to give him promises of support, and to send one of his own adherents as a spy to watch him during the journey. They might thus seize on the messenger hereafter with the fullest evidence against him, and force him to betray all the secret designs of his employers. He was arrested on his return, and disclosed the whole conspiracy.

Perrot, by this means thoroughly acquainted with O'Neill's plans, undertook an expedition to Ulster for the purpose of reducing that province, and wrote a full account of the measures he had taken in a letter, dated 1585, addressed to the Lords of the Privy Council. He states that "the first occasion of his journey was an intelligence he had of a combination in Ulster for the bringing in of Frenchmen there, *wherein a Papist Buyshop should have been used*."‡ Now, from comparing these two passages it has been inferred, that the bishop of Cashel who made known the designs of the insurgents to the Deputy, must have been a 'Papist;' while it might be urged, with much more reason, as seems to us, that the course pursued on this occasion was inconsistent with the character of a Catholic prelate, and such as could be expected only from an open enemy to the

\* Rather a strange coincidence that the name of the northern chieftain should be so like that of the archbishop.

† The HISTORY of that most eminent statesman, Sir John Perrot. Lond. 1728, p. 145.

‡ *Ibid.* p. 209.

Catholic party; that therefore Perrot's adviser was more probably the nominee of the crown, and the 'Papist' no other than Malachias Annalone, the suspected bishop alluded to elsewhere, p. 150.

In the brief notices of his predecessors which Dr. Bray added to the statutes of Cashel and Emly, sanctioned by him, first week of September, 1810, he says "that there were, according to a constant and well founded tradition, two other Catholic archbishops" (besides Drs. Kearney, Walsh, and Brennan,) "between Darby O'Hurly and Edward Comerford, whose names were Thurlough O'Neill and William Burgat,\* but I have not yet found any satisfactory records of them."

Perhaps Dr. Renehan relied on this tradition, which certainly deserves to be received with the greatest respect; and though according to it, the date and order of succession are left undecided, there would be little difficulty in fixing them, after reading the lives of the archbishops just named. Perhaps on the other hand, he wished to imply by the studied omission of the Christian name in each list, that the tradition was unsupported by other evidence. He adds elsewhere the following note from an early MS. without a word of explanation. "MS.† of 1617, says 'Moriarty O'Brien, who died in 1586, was the last bishop of Emly (he is called Moriarty O'Carryll), and that he died for the faith in Dublin jail 1585. In 1617 Emly‡ was united to Cashel under Dr. Kearney,' but the writer knows not

\* See Burgatt's life *infra*.

† Not stated when or how this MS. was procured. It must have been written in *Latin*, as appears from another reference.

‡ The sees of Cashel and Emly were never canonically united. In 1718 Clement XI. wrote thus to Dr. C. Butler.

"*Venerabili Fratri Moderno Archiepiscopo Casseliensi in Hibernia*

CLEMENS P.P. XI.

"*Venerabilis Frater, Salutem. Pastoralis officii, quo Ecclesiæ Catholicæ regimini Divina dispositione præsidemus, sollicitudo nos admonet ut Ecclesiarum omnium præsertim suorum pastorum solatio destitutarum, necessitatibus et animarum salutis, quantum nobis ex alto conceditur, providere jugiter satagamus.*

"*Itaque de tua fide, prudentia, integritate, charitate, vigilantia, et Catholicæ religionis zelo plenam in Domino habentes fiduciam, de venerabilium Fratrum nostrorum, sanctæ Romanæ Ecclesiæ cardinalium, negotiis propagandæ fidei præpositorum consilio, te Ecclesiæ Emelecensis in Hibernia, pastoris solatio ut accepimus ad præsens destitutæ, administratorem in spiritualibus et temporalibus cum solitis juribus et facultatibus, donec eidem ecclesiæ a sede Apostolica de proprio pastore provideatur, et interim ad nostrum et ejusdem sedis beneplacitum, auctoritate Apostolica, tenore præsentium constituimus et deputamus. Mandantes præterea in virtute sanctæ obedientiæ omnibus et singulis ad quos spectat et spectabit, quovis modo in futurum, ut tibi in præmissis pareant et obediant, tuæque salubria monita et mandata suscipiant et efficaciter adimplere*

if this was intended to be a permanent or only a temporary arrangement. In that MS. it is also observed, *that the last archbishop of Cashel before Dr. Kearney was Dermot O'Hurley, martyred in Dublin, 1585.*"]

### DAVID KEARNEY.

[DAVID KEARNEY was born in Cashel, about the year 1568, and descended of a family whose name was long honourably connected with that ancient town.\* It is probable he inherited also some of the paternal estates. The means left at his disposal were at least considerable, as we are assured by his brother Barnabas,† that be-

procurent, alioquin sententiam sive poenam quam rite tuleris seu statueris in rebelles, ratam habebimus et faciemus Auctore Domino usque ad satisfactionem condignam inviolabiliter observari. Non obstantibus constitutionibus et ordinationibus Apostolicis ac (quatenus opus sit) dictæ ecclesiæ Emilicensis, aliis quibusvis, etiam statutis, et consuetudinibus, privilegiis innovatis, quibus omnibus et singulis illorum tenore derogamus, ceterisque contrariis quibuscunque.

"Datum Romæ apud sanctam Mariam Majorem, die 18 Maii, 1718. Pontificatus Nostri anno xviii."

Ever since the archbishops of Cashel have been administrators of Emly; so that in Dr. Slattery's Bulls there is no mention of Emly, and in the "Facultates Concessæ," he is styled "Administrator Emelacensis." A letter on this subject from Dr. Cullen (now archbishop of Dublin), dated Rome, 8th June, 1835, addressed to Dr. Slattery, is the latest authority to which I can refer on this subject. It states "that nothing has been done yet about the union of the dioceses of Emly and Cashel. I have spoken on the matter in the Propaganda, and I am told that there is nothing to impede its success. However, it would be desirable that your Grace should forward a petition requesting the union to the Propaganda, or if you think fit to me, and I shall present it. As the matter is of some importance, they will be pleased to see a document signed by your Grace. When this paper is forwarded there will be no further delay, and a Brief will be published immediately according to your Grace's wishes."

\* Register of Commons' House of Parliament, Part i. p. 37.—Lib. Mun. vol. 1. TRACTS relating to Ireland I.A.S., vol. ii. p. 142.

† Barnabas O'Kearney, S.J., and a distinguished member of the order, born in 1569, joined the society in his twenty-fifth year, spent thirty-seven years on the Irish mission, and died in his native city, Cashel, on the 20th August, 1640. Wrote "*Heliotropium*," sive conciones de Festis et de Dominicis. Lugduni, 8vo., 1622; dedicated to his brother David, from which the chief dates of the latter's life may be collected. CONCIONES de *Passione Domini*, Paris, 8vo., 1633, dedicated to Thos. Walsh, archbishop.

Carve states that Barnabas Kearney, Walter Wall (or Wale, Kearney's nephew), both of Cashel, and James Everard of Fethard, were the first three members of the society who came to Ireland.—"*Annales Hiberniæ*," p. 352. If this be understood of a visit and not of permanent residence

sides other munificent acts of piety, David undertook to provide for the support of a large number of Irish ecclesiastics in foreign colleges. The Jesuit father adds, that he himself was one of the many priests, secular and regular, then serving on the Irish mission, who embraced the clerical state through his brother's influence, and were educated at his expense. No work could have been more meritorious, when the humblest Catholic schools were proscribed at

it is clearly not the fact, for even one of the companions of St. Ignatius, one of the seven who with him and under him formed the society, Alphonsus Salmeron, had been in Ireland long before, accompanied by Paschasius Broet and Francis Zipata. See p. 3 of these COLLECTIONS; HIB. DOM. sup. p. 833 (letter of Paul III. to O'Neill); STATE PAPERS, Henry VIII., vol. v. p. 202 (letter of James V. of Scotland, recommending the Jesuits to the Irish chieftains); and the dispatch of Paget, dated Lyons, July 31, 1542, with reference to the two Spanish friars sent to Ireland through Scotland, who were then returning to Rome, having done no good because the Spanish king kept not his word.

Many fathers *resided* in Ireland before the end of the 16th century, for example, Edmund Donnelly, martyred in Cork, 30th June, 1581 (called O'Donnell by Bruodin, who also corrects the date of Alegambe, and gives 16th March, 1575); Charles M'Morris, the friend of Dr. O'Hurley, p. 225, *sup.*; Henry Fitzsimon, who came here in 1597: Richard Field and five others, whom he names in a letter of 1603. See Bruodin's "Catalogue of Irish Martyrs," *passim*; Dr. Oliver's COLLECTIONS, Lond. 1845, who adds that, "in the generalship of St. Francis Borgia (elected 2nd July, 1565), the Irish mission began to be regularly supplied with fathers of acknowledged merit and abilities." It is not at all even likely, considering merely the nature of the Jesuit institute, and the urgent wants of the faithful in Ireland, that Kearney and his companions were the first of their order to enter on the Irish mission. Yet they may have been the *only* Jesuits in Ireland when they arrived, because the succession does not appear to have been well kept up for many years, and the members were always few when compared with other religious bodies. Thus in 1613 there were in Ireland only twenty-two fathers (MS. E. 3, 15, T.C.D.); in 1649, even after the establishment of the Irish novitiate at Kilkenny, but fifty-three, three coadjutors, and eleven novices (note to Dublin *Ed.* of O'Sullivan's *His. Cath. Comp.* p. 297, taken from F. Verdier's report): the persecution under Cromwell, the terrible rigour of the penal laws directed unsparingly against their order, prevented any considerable increase subsequently.

After the suppression there were in 1776 only seventeen ex-Jesuits on the Irish mission, and but four in 1800. The celebrated F. Peter Kenney opened the mission again in St. Michan's church, Dublin, Nov. 13, 1811, assisted by Fathers Matthew Gahan and William Dinan. Clongowes Wood, Co. Kildare, was taken March 4, 1814, and students admitted on the 4th July following. The college of Tullabeg, in the King's county, was opened June 18, 1818. Since then the society has been steadily advancing—two other houses being established last year in Galway and Limerick—and now counts among its members many young ecclesiastics of the highest promise, destined with God's blessing, to rival the first fathers of their order.

home; and hence from the beginning of Elizabeth's reign, pious associations were formed to defray the heavy expenses necessarily incurred by young men, who, while preparing themselves for the ministry, had to reside for a long time in foreign countries. Large contributions for this purpose became more frequent after the laws against them had been either abrogated or fallen into disuse; but few could be found ready to risk their lives and fortunes in such a cause, when David Kearney brought together his kindred and companions, and inspired them with an ardent zeal for God's glory.

Of Dr. Kearney's early education we have no record, nor is it mentioned in what college he graduated. In a note "of Bushoppes, appointed by the see of Rome for this realme of Ireland," preserved in the library of Trinity College, Dublin,\* he is said to have been 'formerly a *rich* chanon of Lille in Flanders;' but we can place no reliance on this statement; because the writer's sole object was plainly to save his own life at any risk short of denying the faith, and he scrupled not to revile his brethren, and charge them with sedition for his own selfish ends.† Such a witness can be hardly credited even in cases where we see no motive for perverting the truth, because he may be influenced by groundless apprehensions or hopes which have no weight with well disposed minds.

From one of his own letters still extant, we learn that Dr. Kearney was in Paris in the spring of 1602,‡ but whether he studied in that city, or what is more likely made only a passing visit on this occasion, does not clearly appear. The date of his appointment to the see of Cashel must be placed in the interval between the above year and the beginning of 1605. The letter§ (No. 1) ad-

\* Library T.C.D., MS. E. 3, 15, quoted by Mr. King, p. 1350.

† The declaration opens thus—"That you may see what number of priests were come over, and whether it were not time to look to the seducings of their subjects."—MS. *id.*

‡ No. 4.

§ (No. 1.—1605—Feb. 28).

Admodum Reverendo in Christo Patri

P. Claudio Acquaviva

Præposito Generali Societatis Jesu.

ADMODUM REVDE. IN CHRISTO PATER,

E re nostra ac totius hujus regni duximus, per præsentium latorem, nobilem ac Reverendum virum D. Donaldum O'Caroul, sacerdotem nostræ provinciæ, tanquam per proprium nuncium, negotia, necessitates, et alia omnia quæ nos hic vexant et angunt Paternitati tuæ significare. Et quia ipsi cui totum hujus regni statum notum esse non dubitamus, negotium hoc nostrum commissimus; aliud his non decrevimus inserere quam ut ipsum, tanquam nostrum fidelem et legitimum nuncium et procuratorem amplecti, ipsique, in omnibus justis suis petitionibus, maxime quæ ad statum tam nostrum quam totius regni spectabunt, patrocinari non gravetur: ab ipso enim latore, quicquid actum sit, statumque rerumstrarum ac totius regni necessitates Paternitas vestra intel-

dressed to the general of the Jesuits, dated the first day of Feb., 1605, and signed David, archbishop of Cashel, plainly fixes the latest period, and from the dedication to the "*Heliotropium*," by Barnabas O'Kearney, S.J., the earliest may be inferred.\* In this dedication, printed in 1622, the author states that "fifteen years had already elapsed since he came to Ireland to aid the archbishop in the discharge of the duties *then imposed* on him." If Dr. O'Kearney had been consecrated more than two or three years before 1606, it could not be said that the episcopal duties were '*then imposed* on him.' There is besides strong reason to believe that he never left Ireland after first entering on his mission until forced into exile in his old age, and that therefore his consecration did not take place before that visit to Paris in 1602. The friend, too, to whom he desires to be remembered (let. No. 4) would hardly forget an inter-

liget. Interim, pro incolumitate vestra ac totius societatis quibus nos summe addicti sumus Deum Optimum Maximum jugiter deprecabimur. Atque sic finem facimus, si prius nos Paternitati tuæ, Reverendo Patri Georgio Duras ceterisque assistantibus, commendatos, ac singulariter vestris omnium Sanctis Sacrificiis et orationibus esse peroptemus. E loco mansionis nostræ in Ibernia die ultima Feb. 1605.

Vestræ Paternitatis

Amantissimus

DAVID, Archiepiscopus Cassellen.

See also a letter dated 28th day of March, 1605, signed "David Kearney, Cashel."—Same MS. T.C.D., E. 3, 15, fol. 17. It was addressed to his "worshipful and loving friends" in the city and county of Limerick, exhorting them to appoint four competent persons for making collections to be sent to agents in England.

\* "Quintus decimus jam annus agitur, Illustrissime ac Reverendissime Domine, ex quo superiorum meorum imperio ad hanc vineam Domini excolendam fui amandatus. Quo tempore, ea mihi cura non in postremis sane imposita fuit, ut oneris tibi tunc injecti, pro societatis nostræ instituto sustinerem partem."

(No. 2.—1605—Oct. 4.)

PAX TIBI,

Quas dedisti 5<sup>o</sup> Julii, accepimus 4<sup>o</sup> Octobris, et quia tam ipse in tuis voluisti quam res ipsa id exigere videatur, ut si quid novi acciderit, hoc vobis scriberetur, et voluntati tuæ, et utilitati nostræ hoc concedimus. Spiritus veritatis mentiri non potest: extrema gaudia luctus occupat: læta nobis significasti, Regem Catholicum id contendisse, ut Catholici hic nostri in causa religionis et conscientiæ non vexarentur, imo accepimus etiam legatum Regis Angliæ id concessisse. Sed quid? Eo ipso die quo tuas legimus, tristiora vidimus. Nam ipsi legimus et manibus nostris attractavimus regium ipsum edictum, Londini impressum, ejusque nomine in Hyberniam delatum, et a prorege missum ad Theobaldum vice comitem Ormonix hæredem (coniti enim infirmo indultum in hac parte est) ut illud promulgaret. Promulgat ille adhuc Catholicorum nomine consentiente, quis sit futurus exitus nescitur. Edicti summa hæc est: ut Episcopi, Jesuitæ, Seminaritæ, et alii sacerdotes, ceterique omnes

view with an Irish archbishop in those critical times, or if so, it would be useless, as suggested in this letter, to remind him of the person who supped at the same table so many years before.

Although it is in general vain to seek for minute details in the lives of Irish prelates and priests at this period—their chief care being to discharge their spiritual office so secretly, that they might escape detection—we are still at no loss for authentic records of Dr. Kearney's missionary labours. More perhaps is known of his

qui a sede Romana auctoritatem derivant, ab Hybernia decedant ante decimum diem proximi Decembris, nulloque modo redeant sub pœna regiæ indignationis, incarcerationis, aliarumque pœnarum. Quod si non abeant, licere omnibus officialibus ac magistratibus, etiam iis quos iudices pacis seu *justices of peace* vocant, illos apprehendere, incarceratione, et regis tribunali submittere. Ceteri vero Catholici teneantur singulis Dominicis et Festis conciones verbi Dei (hæreticorum nimirum) audire sub pœna juris regni Hyberni, quo videlicet statutum est ut qui id recusat pœna mulctetur pecuniaria et carcere. In fine cavetur, ut si quis Jesuita aut alter velit sese submittere et ecclesias (hæreticorum scilicet) frequentare, ille benigne suscipiatur; hæc edicta efficiesque ut sua Stas. intelligat. Ceterum vestræ Reverendæ Dominationi gratias habemus pro labore in omnibus suscepto Deumque precamur ut vobis pro re Catholica feliciter succedat. Illustrissimum primatem a nobis salutate, Reverendum P. Claudium d'Acquaviva ceterosque amicos quibus hæc ostendi possunt. Vale 8<sup>bris</sup>. die quarto dno Francisco consecrato 1605.

DAVID, Archiep. Cassellen.

(No. 3.—1607—Sept. 2.)

Admodum Reverendo in Christo Patri—Patri  
Claudio Acquaviva Societatis Jesu  
Generali dignissimo—Romæ.

ADMODUM REVDE. IN CHRISTO PATER,

Perdifficile nobis esset singula quæ hic occurrunt literis inserere, tum quod illa varia sint et plura quam hæc cartula capere posset, si tantum generatim omnia perstringeremus, tum etiam quod opus esset plures in ea re dies insumere, quam nobis vacat propter varias occupationes impendere. Quare cum sciam pridem omnia scripta et missa ad paternitatem vestram per amicos qui in talibus partem temporis me teste præsentem utiliter imponunt, illis prætermisissis, alia quæ magis ad rem nostram faciunt paternitati suæ significanda duxi, ut ipse pro paterna sua de nobis et religione cura, in his quæ rationi consona sunt patrocinari non gravetur, et ut multa paucis dicam, ex inclusis ad Illustrissimum protectorem literis et ex adjunctis mentem meam et quid peto in subsidium animarum plenius intelligere licebit, quas ideo apertas reliqui tum ut labori parcerem, tum etiam ut paternitas tua cum Reverendo Patre assistente Duras, aut aliis, illas legat et examinet si aliquid contineant quod possit offendere aut illustrissimum protectorem aut suam sanctitatem, cui omnium sollicitudo et cura incumbit et sic lectas et obsignatas Illustrissimo et Reverendo Protectori nostro offerre non dedignabitur. Ceterum laus semper Deo, non obstantibus variis periculis, recte valeamus omnes, et operi semper insistimus non sine uberrimo animarum fructu, nobis in omnibus assistentibus et strenue collaborantibus vestris militibus quorum ut est nobiscum in rebus agendis ani-

personal history, than of many distinguished ecclesiastics whose lot was cast in less troubled times. We can not only fix with the highest degree of probability the whole period of his episcopate; we can even trace his name in contemporary annals, in his own or his brother's letters, almost each year of that time.

Thus from his own letters it appears that he resided in 1605, 1607, 1616, 1617, 1618. In 1614 he ordained at home (*in Patria*)

morum conjunctio, ita et paternitatis vestræ et ceterorum debita et continua memoria: atque ita valeat reverenda sua paternitas una cum sua Sta. familia in Christo Jesu. Die 2 Sept 1607.

Vestræ paternitatis amantissimus

DAVID, Archiepiscopus Cassellen.

Si forte ibi adhuc esset Dos. Daniel O'Caroul  
procurator noster, impendat laborem et in-  
dustriam in expeditione facultatum quas re-  
quirimus.

—o—  
(No. 4.—1616—Jul. 15.)

Mago. Dno D. Mutio  
Vitelleschy,  
Romam.

ADMODUM REVERENDE IN CHRISTO PATER,

Literas R. Va. 21 Mai datas accepimus 6<sup>o</sup> Julii, et gratias agimus pro tanta in nos benevolentia, qua placuit R. Væ. rebus et negotiis nostris semper favere. Scripsimus ad Rev. Patrem Oenum qui curam gerit collegii Anglicani, ut consignet aliquot monetæ scuta triginta quatuor et (quæ ex meis aliquot jam annis habet) in manus Reverendi Patris Alfonso Carilla, ut iis in negotiis nostris hic pro arbitrio utatur. Curabimus (ut monet R. Va.) ut quispiam idoneus negotium sollicitet in Curia Hispanica, et ibi nunc est Pater Richardus Connæus. Et si Pti. Væ. congruum videretur, optaremus ibidem hæreret, dum totum negotium expediat. Ipse enim et alius pene nullus eam rem et novit, et semper hactenus tractavit. Quare id Pti. Væ. unice commendamus.

Aliam nobis occasionem præbuit, oborta recens hac in patria quorundam hominum malitia, mittendi quendam in urbem qui causam nostram exponat. Hunc ut P. V. amplectatur, suisque petitionibus, negotiis, sua et amicorum autoritate patrocinetur, rogo obtestorque. Et quo secretius hæc agantur eo omnino melius. Nec vellem alius hæc intelligeret, nisi qui necessario illa tractare debet.

Si Don Baltazar de Zuniga ibi pro suo Dno. agat, ille est et fuit in nos semper benevolus, benignus, et liberalis; in cujus mentem memoria illius redire poterit, qui in eadem cum ipso mensa Parisiis pransus est Dnica Quinquagesimæ, annis abhinc fortassis quatuordecim, cujus manus aliquo mediante amico, deosculandos meo nomine peroptarem. Interim Deus Optimus Maximus Paternitatem Vm. et reliquos amicos diu nobis servet incolumes. E loco Mansionis nostræ in Provincia nostra Cassellensi die 15 Julii in Hibernia 1616.

Reverendæ Paternit<sup>is</sup>. vestræ addictissimus

DAVID, Archiepiscopus Cassellensis.



the celebrated Dr. Kirwan, bishop of Killala.\* If we may believe the statement contained in the MS. already referred to,† Dr.

\* *Pii Antistitis Icon sive de vita et morte Revmi. D. Francisci Kirovani, Alladensis Episcopi, Authore Joanne Lynchæo, Archidiacono Tuamensi, Maclovii 1669, p. 13.*

† MS. E. 3, 15, T.C.D.—The primate and the archbishop of Tuam were certainly absent, and perhaps the bishop of Killaloe (died at Compostella, 1617); but the archbishop of Dublin was in Ireland, June, 1614 (see p. 187, *supra*); in 1615, as appears from letters in next page, taken from MS. “*de rebus Hibernicis*” in Stoneyhurst College. The government at least were under the impression that he did not go abroad before 1617. O’Sullivan states distinctly, that Dr. Matthews was in Ireland this last year. It seems therefore most improbable that Dr. Kearney was the only resident bishop in 1613; and we must conclude Friar Fitzgerald was deceived himself or intended to deceive. I had not seen the documents inserted here before writing the life of Dr. Matthews. They have been copied for me by the librarian of Stoneyhurst, Rev. Charles Boardman, S.J., to whose kind assistance I am also indebted for other valuable papers, marked—ST. C.

(No. V.—1617—Maii 26.)

Mag. Dno. D. Mutio Vitellesco.

ADMODUM REVERENDE IN CHRISTO PATER,

Quas ad nos dedit Paternitas vestra 17 Decembris accepimus 25 Maii, quibus favorem in nos vestrum abunde intelligimus et quantum cordi habeat negotia nostra: quæ si ex animi sententia nobis succedant vestri hic saltem fient participes emolumenti: et merito quia ipsi etiam negotium promovent quantum in ipsis est. De alio vero negotio a nobis alteri commisso in urbe, eo feliciorum speramus exitum, si illud etiam vestra auctoritate, ut ratio dictabit, commendetur. Ceterum hic magis nunc angustiamur quam hactenus. Persecutio enim (ut plenius aliunde intelliget) ratione novi Gubernatoris, qui mira Regi nostro promittit, in dies magis magisque acuitur. Interim orandus est Deus ut nos patientia munire velit. Bissonius vester, proximis hisce diebus nobis hic adfuit ægra satis valetudine, sed infracto animo. Quod reliquum est Paterni Væ. opto, quam mihi, illam quæ a Deo parata est felicitatem. Ex Hibernia 26 Maii 1617.

R. P. Væ addictissimus

DAVID KEARNEY, Archiepus. Cassellen.

(No. VI.—1618—Sept. 30.)

Reverendo in Christo Patri

Mutio Vitellesco Societatis

Jesu Præposito Generali.

ADMODUM REVERENDE IN CHRISTO PATER,

Literas paternitate vestra scriptas 12 Julii recepimus 15 Sept. quibus quam eras paratus ad negotia nostra promovenda significasti, et recte facis nam si illa nobis ex animi sententia succedant, vestri hic et alibi etiam, emolumentum inde reportabunt non mediocrem, quare uti predecessor vester nobis semper favebat, non minorem favorem expectamus fieri a P. V. quem præ ceteris adamamus et cujus familiaritate sæpius usi sumus. Et quia R. P. Richardus Conæus hoc negotii 8<sup>o</sup> jam annis portavit, e re vestra ac nostra erit non dimovere illum loco, donec totum negotium uti bene incepit felicius absolvat: hæc

Kearney was the only Catholic bishop in Ireland 24th June, 1613; Primate Lombard being in Rome; Matthews, of Dublin, in Flanders; Conry, of Tuam, in Spain; Cornelius Ryan, of Killaloe, in Lisbon; and the other sees vacant, governed by vicars-general.

sufficient. Oremus quia in graviore nunc persecutione sumus quam hactenus unquam. Suae sanctitatis partes erunt nostrum negotium pro libertate conscientiae obtinenda pro tribus istis Regnis vehementer urgere, aut si fieri non possit pro tribus, saltem obtinenda pro hac nostra Hibernia propter multitudinem Catholicorum, ac eorundem in fide Catholica constantiam his 100 fere annis: verendum sane nisi hanc libertatem sua sanctitas urgeat pro hoc regno, illamque obtineat tanquam conditionem *pernecessariam*, ne plurimi ex nostris trahantur, velint nolint, ad Protestantium Ecclesias uti latius significavimus per literas ad Illustrissimum protectorem. Valeat semper Paternitas Va. in Christo Jesu. E loco mansionis nostrae ex provincia Cassellensi die ultima Sept. 1618.

Vestrae paternitatis addictissimus.

DAVID, Archiepiscopus Cassellensis.

Informatio ex Hibernia ad Archiepiscopum Armacanum Primatem Regni transmissa Romae, de statu in quo Eugenius, Archiepiscopus Dubliniensis, ibi versatur cum periculo suo, et ejus occasione etiam aliorum. Ex literis in Hibernia scriptis anno Domini 1615.— Die 10 Maii.

MULTUM hic invigilatur in Eugenium Dublinensem, et de illo Prorex Regni deputatus narravit cuidam Baroni Catholico, ex cujus ore ego accepi, quod est nominatim, et personaliter odiosus Regi, eaque de causa tam ipse Prorex quam Regni cancellarius sunt solliciti ad ipsum reperiendum, adeo ut existimemus quod necesse habebit recedere ex regione: tenet se valde privatam, et abstinet ab ordinando, confirmando, et aliis functionibus, per quas venire possit in notitiam. Vir bonus habet zelum, et magnum desiderium ad perfungendum onus, et ad dirigendum gregem suam, sed multum in illum collimatur\* ab iis qui statui publico praesunt, ex suspicionibus et presumptionibus ratione familiae ex qua descendit, et loci in quo natus, et consortii in quo versatus, et tanquam non aliud quam praecursor esset adhibitus, propter alias quasdam molitiones designatas, quod ab ipso tamen nullo modo intentum esse me securum reddo, tametsi illi qui praesunt, ita sint diffidentes, ut hoc nolint credere.

Pro qua informatione intelligenda poterit adnotari quod familia ex qua descendit, id est, parentes et ejus propinqui militarunt cum Comite Tyroniae contra coronam Regni, et quod locus in quo natus sit Provincia Hultoniae, in qua saepe solitum arma contra Coronam sumi, et quod consortium cum quo hic Romae conversatus, fuerit ejusdam Comitis Tyroniae, et aliorum qui cum ipso ex Hibernia fugerunt. Cum quibus si pariter innotesceret, quod idem Eugenius promotus fuerit ad dictum Archiepiscopatum per sollicitationem importunam ejusdem Comitis apud Paulum P. V. idq. contra quam idem Papa judicabat simpliciter expedire; et contra consensum, et consilium Archiepiscopi Armacani totius Hiberniae Metropolitanis et Primatis, tunc augerentur suspensiones, praesumptiones, et pericula tam contra dictum Eugenium Archiepiscopum, quam contra omnes alios cum quibus in Hibernia familiaris ageret.

*Ex literis in Hibernia scriptis Anno Dni. 1617 die 17 Julii.*

Intentissima hic expectatio, et investigatio ad reperiendum Eugenium Dublinensem, facit complures timere ne contingat errare in personis, et qui non

\* In multis edit. Cicer. Gellii, pro *collineo* (to aim at) habetur *collimo*, as. Facciolati.

O'Sullivan highly commends Dr. Kearney's zeal in ministering to the spiritual wants of his people, when large rewards were offered for his apprehension, and informers were busy in his pursuit.\*

Dr. Kearney's letters are printed here for the first time, and deserve to be carefully studied, because they throw much light

quærentur, pro illo forte apprehendantur, in quem intentio adeo collimat. Quomodo accidit Dublinii in postremo termino Paschali, ubi Cancellarius ipse Regni cum alio quodam e supremo concilio Dno. Adamo Loftio, et magister, uti vocatur, Curiae Prerogativarum Doctor Rivius, et pariter cum illis præcipui nobiles familiæ Proregis, ex relatione ipsis facta per quemdam exploratorem non sufficienter informatum, ibant personaliter bene associati ad quaerendum dictum Eugenium in diversis ædibus, collocatis primum excubitoribus in quibusdam plateis et deviis angulis, ne ille forte evaderet, et in hac inquisitione tam fuerint ardentes quod non pepercerint irruere in cubile cujusdam Illustrissimæ Comitissæ Catholicæ ex præcipua nobilitate cum Hiberniæ tum Angliæ tametsi ejusmodi irruptio esset contra libertatem et privilegium quo in Hibernia gaudent tales honoratæ personæ. Quæ proinde Comitissa tunc e lecto vix levata valde terrebatur et offendebatur tam subitanea et armata visitatione. Verum Ds. Eugenius Archiepiscopus, prout Deus voluit, erat extra protestatam sic ipsum inquirentium, atque in ista inquisitione plures alii sunt apprehensi et commissi carceri tam Ecclesiastici, quam alii, unus regularis et alius presbyter secularis nomine Guilielmus Donatus, qui licet in lecto decumberet ægrotus, tamen quia putabatur esse Capellanus dicti Archiepiscopi, coactus fuit se levare et alios comitari ad carcerem, ubi adhuc detinetur. Confrater vester Archiepiscopus Casseleensis et alius hic vester delegatus, in suspitione aliquam venerunt quod essent conscii proditoriarum molitionum ejusdem Eugenii quippe quem ipsi non Archiepiscopum seu Epum. sed architraditorem nominant, et sub eo nomine quærunt et investigant. Verumtamen quoad opinionem et notitiam meam de illo, nunquam potui aliquid vel in ipso observare sed potius contrarium reperi, quod nunquam inter nos aliquid tale intenderit et quod semper exhortabatur clerum tuæ Prvœ. ne se intromitterent in ullis negotiis politici status, sed hoc non poterat persuaderi illis qui præsumunt politico statui, imo censent quod negotiatus sit in ejusmodi rebus tam foris quam domi. Deus custodiat innocentes, et servet eos qui sunt sinceræ intentionis.

How unjust these suspicions were, appears from the "Brief Relation of Ireland," presented by Philip O'Sullivan Bear, according to Usher, to the Spanish council. It has been the misfortune of many Irish bishops at all times to be accused of disloyalty, to the throne or to the people, by the more violent supporters on either side. "Noe where can we find place amongst the above names for Don David Carney, archbishop of Cashel, nor for Father Archer of the society: for the archbishop being intertayned by his Majestie with allowance of a thousand crowns yearly, and descending by righte lyne from the ancient Irish, notwithstanding having somewhat of the English blood, and not being a divinea bnt a canonist, and guided by the fathers of the society his kinsmen, is of Englished condition."

\* *Hist. Cath. Comp.* lib. iii. cap. iv. p. 260 (p. 337, Dub. ed.); *Ibid.* p. 229 (p. 297, Dub. ed.). This was in 1617 and 1618 when he was writing his history. According to the terms of proclamation, whoever brought the head of Matthews or Kearney, *dead or alive*, was to get the blood money.

on one of the darkest pages in our annals. In the second is described with singular simplicity and pathos the alternate state of hope and fear, in which by a refinement of cruelty, the Catholics of these countries were then doomed to live. At the accession of James it was generally expected that the penal laws if not repealed, would be no longer strictly enforced, that the new sovereign would remember the faith and untimely death of his own mother, and the promises held forth by himself to those who suffered like her for conscience-sake; nay, it was rumoured, particularly abroad, that he was himself a Catholic at heart, and that his conversion would be made public immediately. No where were these glad tidings hailed with more joy than by the Irish exiles at Rome. One of these, perhaps Wale the Jesuit,\* nephew to Dr. Kearney, wrote to congratulate him on the new era now opening on his persecuted countrymen at home. "You tell me," the archbishop replies, "that his Catholic Majesty exerted all his influence to obtain for us religious freedom; I even heard that the lord-deputy granted this favour. But what is the fact? On the very day I read your letter, I saw and held in my hand the royal proclamation printed in London and sent here to be published, by which it is enacted that all bishops, Jesuits, Seminarists, and other priests deriving jurisdiction from the Roman See, shall depart this kingdom before the 10th of next December, under pain of incurring the king's displeasure, a fine, and imprisonment. But if they will not leave this country, then shall it be lawful for the king's officers, justices of the peace, etc., to arrest them, and cast them into prison. The Catholic laity must assist at the Protestant service on Sundays and holidays under the penalties prescribed by law—fines and imprisonment."†

"Praise be to God," he writes afterwards to the general of the Jesuits, "we are all well, notwithstanding the dangers that encompass us, and devote ourselves continually to the work of the mission, ably assisted by the soldiers of your society, who, being always united to us in will and affection, join us now in these congratulations."‡

In the last letter, dated 30th Sept. 1618, Dr. Kearney asks the general of the Jesuits to lay before the Holy Father the fearful dangers to which the Irish Catholics were now exposed, because the persecution was greater than ever before. "It will be therefore the duty of his Holiness to use every exertion in our behalf, that the faithful of these three countries may be allowed to worship God ac-

\* So it is suggested in the ST. C. MS., but compare Dr. Oliver's *Collections*—Lives of Kearney and Wale.

† See the Proclamation in Burke's *Hib. Dom.* ch. xii. p. 611.—Notwithstanding this plain fact, Protestant panegyrists contend that James was driven to persecution by the atrocity of the "Popish plot."

‡ Letter 3.

cording to conscience, but if this privilege cannot be obtained for all three, then at least for this kingdom of Ireland, on account of the vast number of Catholics here, and their constancy for nearly a hundred years of persecution; for it is greatly to be feared, unless his Holiness can succeed in obtaining this liberty—now most essential—many will be forced to attend the Protestant worship.”

The reader must have noticed how carefully every allusion to the place whence they were written is avoided in these documents. They are dated ‘from our place of residence,’ from Ireland,’ ‘from our province,’ but the shire or town is never named or indicated. Spies, allured by the promise of reward offered by the government, were constantly upon the writer’s track; they would, of course, intercept letters to Rome particularly, and avail themselves of this means of discovering his most secret haunts. His friends observed the same caution. A letter of the 6th Oct., 1606, written by Barnabas, is dated “from the hiding place where my brother is now with me.”\*

Indeed if we except the statement in Fitzgerald’s “Declaration,”† that he kept for the most part with Lucas Shea, Esq., at Upper Court, Co. Kilkenny, the reader will search in vain all the original documents for the slightest trace of Dr. Kearney’s usual abode. Of his missionary life, too, beyond the great fact of residing amongst his people, and zealously working out their salvation, very few details have been preserved. One act of episcopal authority mentioned by Hartry, author of the “Triumphalia Stæ Crucis,”‡ de-

\* Dr. Oliver’s “Collections,” p. 252—“E latibulo nostro ubi frater modo est.”

† MS. E. 3, 15, T.C.D., quoted by King, p. 1358.

‡ TRIUMPHALIA STÆ CRUCIS.—The work cited ordinarily under the above title, is a MS. of 39 leaves in small folio; another work of 12 leaves, same size, is bound up with it, entitled “Synopsis illustrium virorum,” etc. Both these works are cited by Harris (Ware’s Bishops and Writers) with respect: he says “The officiating Romish priest of the parish of Holy Cross, did me the favour to lend them to me in 1733.” The vol. was then, I suppose, in a more perfect state than now in 1837, just a century after, when the Catholic archbishop of Cashel lent it to me for a year. Nearly every leaf is now considerably damaged, many are eaten away by time and abuse at the margin, some worn away in the middle; the corners of several leaves are either entirely lost or irrecoverably obliterated, and there are also some other passages in the middle of the page illegible from damp or the effects of time.

Both vols. are written in an excellent, clear, legible hand by the author, John Malachy Hartry, a Cistercian friar, who after completing his studies in Spain, came to reside in Waterford, where he composed these and other works. Harris blunders downright against the very book he had in his hand, when he says “Hartry resided and was perhaps acting P.P. of Holy Cross.” In the following extracts will be found Hartry’s own words repeatedly to the contrary. Both works are written in Latin; the style is plain, and generally clear; the

serves record, more perhaps as illustrating the history of that period, than for Dr. Kearney's share in it.

At the time (1611) that Father L. Archer was appointed abbot of Holy Cross, the Rev. David Hennessy, a secular priest, had charge of the parish, which was entrusted to him after the flight or exile of the former abbot. Hennessy now refused to give up the parish, contending that the care of souls was not committed to the abbot, but to the archbishop. After many vain attempts—by citation, monition, appeals, etc.—the new abbot pronounced a formal sentence of excommunication; but Hennessy disregarded the censure, and continued to perform all the duties of pastor. Hartry, from whom alone we learn the nature of the controversy, tells us that Dr. Kearney never gave jurisdiction within the territory of the abbot, except with the abbot's consent and approbation; that Hennessy knowing this finally submitted, and sought absolution from the censure. Two documents are then quoted by him—a letter from Dr. Kearney to Archer, and the deed of submission by Hennessy—which prove, Hartry says, beyond all doubt, that the abbot's proceedings were just and necessary, and his rights fully recognised. The letter to Luke Archer, abbot, is as follows:—

“Worshipfull Sr. etc. (*omissis aliis*).—It had beene a scandall to Sr. David\* to be now removed from his functions, speciallie at this time when these false ..... are going ... out. You will do very well not to remove till you know further. And truelie in my opinion, none can stand in better steade than himself for your purpose in that place, as ... ..... (in the abbey of Holy Cross).

language of the modern school stamp; but occasionally so ungrammatical as to render the author's meaning entirely uncertain. This and the neglect of dividing members of sentences are the chief sources of obscurity.

The title page of the *TRIUMPHALIA* is richly ornamented with figures of SS. Bennet and Bernard at either side, and another figure at the top, the arms of the Cistercian order, and of the abbey of Holy Cross at the left and right top corners, of the four robbers whose bleeding hands are supporting the tree, between whose two wide spread branches the title is enclosed in an oval figure. P. 18 is a neat sketch of the tomb of the good woman's son at Holy Cross, and pp. 55 and 56 pictures of the manner in which the holy relic used to be carried in procession to distant places. Besides these ornaments, the initial letters of each chapter are richly illustrated. The “*Triumphalia*” was commenced, as its title bears, in the year 1640, and the author says he went with it and presented it to the abbot of Holy Cross on the 2nd August, 1640. However there were some few facts added afterwards by himself down to the year 1648 in blank spaces left designedly for that purpose. Some five or six pages remain blank still, though a few lines have been added after Hartry's death, and from time to time down to the year 1723.

On one of these blank pages, viz., the 35th of the “*Triumphalia*,” the Most Rev. Dr. Bray wrote with his own hand these words—“17 Sept., 1810, Thos.

\* In the English documents of the time, Sr. is the title usually prefixed to the names of priests for our Rev.

And I know he will be directed by yourself that Mr. Kearney and yourself may agree to. I take leave with the heartiest commendations this 10th day of April, 1818. Your worship's most assured friend,

"JOHN HARRIES, D. Cassellen."\*

Hennessy's "Deed of Submission," like the above letter, is illegible in some parts—

"I Sr. David Hennessy of the dioces of Cassell, prieste, do by these presents acknowledge, and make known, that I am heartilie grieved and repentant for all and singular ..... I have committed, either in word or deed against, or to the prejudice of the honour or credit or authoritie of the Right Rev. Luke Archer, right and lawful lord abbot of the Holly Cross in the dioces of Cassell, or any other dependant of him, speciallie Sir Matthew Roch, prieste, for which I have deserved to be censured by the foresaid Father Luke, and do therefore most humbly crave to be absolved of the excommunication, and all other censures denounced against me for my disobedience ..... towards the said lord abbot and his authoritie, promising by God's grace to make sufficient amends both by recalling what opprobrious speeches my coller only suggested me against the aforesaid lord abbot, and his adherents in such places as they might have wrought any sinister impression in the hearers, and speciallie in the very abbey of Holly Cross the next St. Barnard's day, and also by foregoing hereafter as I do by these presents forego, desist, and resign my title, claime or chardge I did or could claim in or belonging to the lands, territories or jurisdiction of Holly Cross; meaninge and faithfully promising not to intermeddle or undergo hereafter any cure, chardge, or any other exercise or function within precinct or territories of the said monastery, without the aforesaid lord abbot's allowaince, warrant, and direction. In witness whereof I have hereunto subscribed my name, the 5th of June, 1621.

Being present

MORTAGH O'DOWLINGE, sacerdos. et Doct. S. Theol.

THOS. ROCH, sacerd. Vic. Gen. Ossor. et Protonot.

Fr. NICHOLAS SHEE, postea Provincialis ord. Minor. Not. Apostol.

Fr. THOMAS (*alias*) JOHN MADDEN, elect. Ab. de Mothalibus.

Fr. STEPHEN SHORTALL, elect. Abbas de Beatitudine.

Fr. THOMAS BERNARDUS O'LEARY, elect. Abbas de Kilcooley."

Hennessy signed another document on the 12th Feb., 1621–22,

Lanigan, Dominus de Castlefogarty, hunc librum dono dedit Thomæ Bray, moderno Rmo. Catho. archipo. Cassel.—L.F.R.

The full title of Hartry's work never printed, and only one copy known, that here described in the library of the archbishop of Cashel, is :

"Triumphalia Chronologica

"de Cœnobio Stæ Crucis, sacri ordinis Cistercensis in Hibernia.

"In quibus plura a salutifero stæ crucis ligno patrata Miracula, aliaque memoratu desiderata illustrantur.

"Authore R. P. Fr. Joanne, alias Malachia Hartry Monacho Cisterc.

"Waterford. Not. Aplco. Anno 1640."

\* If this was written by the archbishop, as Hartry says, then either J. H. was secretary, or what is more probable, a fictitious name to conceal D. Cas., David, Cashel, on whose head a price was set. A natural mode of understanding it would be J. H., *dean* of Cashel.—L.F.R.

in which he declares his subjection at all times to the abbots of Holy Cross, and his readiness to resign the benefice when called upon. He continued however in possession with Archer's consent. Hence it is not unlikely, though Hartry makes no allusion to such a compromise, evidently anxious to record only what favoured his own party, that the archbishop suggested an arrangement by which Hennessy was to retract any offensive words he used towards the abbot, to profess obedience, and *on these conditions* to be permitted to retain the parish,

That Dr. Kearney was still in Ireland when this dispute was finally arranged, and that he died here is the common belief. In the "Statuta Synodalia"\* of Cashel I find this notice of the time and manner of his death.

"In a Latin MS. now in Dr. Bray's library, intitled 'TRIUMPHALIA STÆ CRUCIS prope Thurles,' it is recorded that on the 10th March, 1625, died in Dublin, 'the Most Rev. and Illustrious Dr. David Kearney, archbishop of Cashel, who after a laborious voyage thither from Spain, died of a fever. He is supposed to have been buried in the church of the Rock of Cashel, at the right hand side of the aisle on entering the old Gothic door.'"

The author of the "Triumphalia" certainly states that Dr. Kearney died of fever after a long journey [not *voyage*] from Spain, and in 1625, but not on the 10th of May, 1625, nor in Dublin as I interpret the passage referred to above, but at Bonlieu, near Bordeaux.† It runs thus: "Brother Patrick Grace, for his greater advancement in piety and learning was sent to the Cistercian monastery of Bonlieu, near Bordeaux, and served for a time under the instruction of Father Paul Ragget, abbot of St. Mary's Dublin. At length on the 10th of March 1625, he died *there* piously as he lived, and his body was buried near that of the Most Rev. and Illustrious David Kearney, archbishop of Cashel, who after a laborious journey thither from Spain, was seized with fever, died, and was buried *the same year*." Now it is plain at the outset the writer of the notice in the statutes mistook May for March, and the 10th of March when Grace died for *same year* when the archbishop died; and although "there" may refer to the *last place* mentioned, namely Dublin, it more probably, having regard merely to the context in this extract, should be

\* 12mo. Dublin, 1813.

† Fr. Patritius ad majus vitæ doctrinæque incrementum ad Monasterium de Bono loco, Cisterc. ord. et nobis tunc concessum, non longe a civitate Burdigalensi mittitur, ac sub disciplina R.D. Fr. Pauli Ragget (Abbatis Cænobii stæ Mariæ de Dublin) aliquamdiu militavit. Die demum 10 mensis Martii, anno 1625, religiose, uti vixit, ibidem obiit, cujus corpus prope R. et Illustrissimi Archiepiscopi D. David Kearni Casselensis corpus (qui operoso peracto ex Hispania huc itinere febri corripitur, moritur, et sepelitur eodem anno) tumulatur.



connected with 'Bonlieu' spoken of directly and chiefly in the beginning of the sentence. That this was Hartry's meaning is put beyond all doubt by what he states elsewhere of Father Paul Ragget. The Protestants, he says, looked upon Father Paul as an excellent controversialist, and dreaded him very much. They had him arrested therefore and brought before the viceroy, who ordered him to be cast into prison. He was more than once questioned on his religious principles, and his answers were always firm and straightforward, and left no hope of his being likely to yield to temptation. He was then sentenced to banishment for life, *but after fifteen years he returned to Ireland, and died soon after at Kilkenny in a very old age, in the year 1634.* Paul Ragget could not be therefore in Dublin in 1625, and it cannot have been there Grace studied under him. Hence the words 'abbot of St. Mary's, Dublin,' are to be inclosed in a parenthesis; thus the meaning would be: "P. Grace was sent to study under Father Paul Ragget (abbot of St. Mary's, Dublin,) to the Cistercian monastery at Bonlieu, near Bordeaux, where he died on the 10th March, 1625, and was buried near the remains of Dr. Kearney, who, after a laborious journey from Spain, died of fever, and was buried here the *same year.*"

But if Dr. Kearney died thus in 1625, and was buried at Bonlieu, as we contend, what, it may be asked, gave rise to the popular belief of his being buried in the church of the Rock of Cashel? The writer in the "Statutes," we answer, was deceived in this as in the last instance, from not examining with sufficient care the evidence before him, and his authority led others into error. At the right hand side of the nave in the church of the Rock of Cashel is the tomb of Nicholas Kearney and family, with the following inscription as far as can be ascertained—

"Hic jacet Nicholaus O'Kearney filius.....  
                                           *"Burgensis et civis*

*"Civitatis etiam archiepiscopalis Cassellensis*

"obiit die ..... A.D. .... Necnon Helena Ragget filia

"Thomæ Kilkenniensis uxor quæ obiit, 2 Sep.

*"Domini ..... mori memento."*\*

The italicized words, which of course only declare that N. Kearney was a burgess of the archiepiscopal town of Cashel, coupled with the well known fact that Kearney was archbishop of Cashel, led to the false supposition that the archbishop's remains were interred in this grave.

There is no record of the time Dr. Kearney left Ireland, but it was probably about the end of 1618, when the persecution was at its height, and when Father Paul Ragget, to whom he paid this last

\* The inscription was sent me by J. W. Hanna, Esq. Downpatrick, who has, in the kindest manner, placed some interesting documents at my disposal.

visit, was also driven into exile.\* It was 'rumoured,' at least, he had gone to Rome this year.† In the letter (No. VI.) of Sept. 30, 1618, the archbishop complained of the increasing violence of his enemies who sought his life by every means, and did not rest, we may be sure, until they heard of his expulsion from the kingdom.‡

\* Comp. Hartry's account of the ordination and profession of F. Forstall by D. Rothe, bishop of Ossery.

† Letter 31st Dec., 1618, of J. Walsh to the Holy See, complaining that the archbishop did not attend to his appeal against the Jesuits and Franciscans, who absolved without authority from reserved cases, and married without leave of P.P., *though the Council of Trent was received*. See this calumny refuted in Ap. A. note on clandestinity.

‡ The date Sep. 30, 1618, of itself suffices to show that Dr. Kearney's departure from Ireland cannot be fixed before the close of 1618. It is not then with the view of giving additional proof on this head that I quote the following extracts, but because they confirm many statements in this work by the authority of a contemporary writer, and illustrate the history of our hierarchy generally at a momentous epoch.

During the summer of 1850 I made these extracts from a large folio MS. in the Royal Library in Brussels, hoping they might be of service to some of my friends, but without the least thought then that I would ever use them myself. I did not, therefore, examine the contents of the vol. closely. On the first page I noticed written three times in different hands, "*Collegii S. Antonii Paduani*," with this inscription underneath:—"Fr. Antonius Purcell compegit hunc librum, jussu R. A. P. Fr. Donati Money, Ord. Min. regularis observantiae, Provin. Hiberniae, ministri provincialis, A.D. 1617, die Nov. 2<sup>o</sup> in Colleg. Frat. Hybern. Lovanii, pro quo pius lector oret."

One of the early chapters gives the ecclesiastical division of Ireland:

*De quatuor provinciis archiepiscopalibus Hiberniae, et sedibus suffraganeis.*

PROVINCIA ARDMACHANA.

Archiepiscopus Ardmachanus, intitulus Primas totius Hiberniae, habet sedem suam in Ultonia, et habet sub se in sua provincia per totam Ultoniam, Mydiam, et partem Connaciae, subsequentes episcopales sedes, quarum aliquae sunt unitae, aliquae vero non.

1. Sedes Ardmachana, ejus ultimus episcopus obiit martyr nomine Edmundus Magauran, anno 1593, Julii 3tio, et successor qui nunc vivit, est dominus Petrus Lombardus.

2. Episcopatus Drumorensis in Ultonia unitur sedi Ardmachanae.

3. Episcopatus Mydensis complectens utramque Mydiam.

4. Episcopatus Cluanes seu de Clonmacnois, unitur nunc auctoritate haeretica Mydiae, non vero auctoritate pontificia. Hujus ultimus erat Petrus Wall, ordinis minorum.

5. Episcopus Clogherensis in Ultonia.

6. Episcopus Dunensis in Ultonia.

7. Episcopus Conorensis in Ultonia. Istae duae sunt unitae auct. pontificia, et ultimus epis. Fr. Cornelius Duanus ord. min. martyrio glorioso coronatus Dublinii per Arthurum Chichester, 1<sup>o</sup> die Feb. anno 1612, juxta computum

That he went abroad before 25th Sept., 1622, is quite certain; the bishops elect of Emly and Limerick being appointed delegates by

Kalendarii veteris quod in illa parte Hiberniæ adhuc observatur, non autem ita juxta Calend. Gregor.

8. Episcopus Derensis in Ultonia: hujus ultimus episcopus Redmondus Gallaher martyr obiit, anno 1601, Martis 8<sup>o</sup>, senex, et ut putabatur omnium episcoporum Europæ ordinatione antiquissimus.

9. Episcopus Rapotensis in ultonia; hujus ultimus episcopus erat Neillanus O'Buyll, obiit anno 1611; et antecessor epis. Malachias (Donatus?) Magongail.

10. Episcopus Ardaghadensis in Ultonia in comitatu de Longford.

11. Episcopus Kilmorensis in conacia in comitatu de Cavan: ultimus episcopus erat Fr. Richardus McBrady, vir sanctus de quo infra dicendum; obiit anno 1607 senio confectus.

#### PROVINCIA DUBLINIENSIS.

Archiepiscopus Dub. dicitur primas Hiberniæ, et habet sub se omnes episcopatus per totam Lageniam constitutos, nec epis. jurisdictio extra Lageniam extenditur. Episcopatus sunt sequentes.

1. Dubliniensis archiepiscopatus.

2. Glandalecensis qui Dublinensi est unitus. Ultimus episcopus erat Fr. Mathæus de Oviedo, ordin. min., modernus autem Dominus Eugenius Mathæus, vir virtute et eruditione insignis, dignus qui meliore tempore tam illustri loco collocaretur: nunc in Hibernia residet multis hæreticorum insidiis impetitus, quas per Dei gratiam delitescens, et e latebris vigilantia pastoralis operam navans declinat.

3. Darensis Epis. cujus ultimus epis. erat Dominus Thomas Levrous.

4. Lochlinensis Epis. cujus ultimus epis. erat frater Franc. Ribera ordinis min. Hic sumptibus suis ædificavit infirmarium conventus fratrum min. Antverpiæ, in quo conventu multo tempore mansit, quia in Hibernia non potuit esse, ibique mortuus est.

5. Fernensis Epis. non reperi memoriam alicujus episcopi hujusce sedis.

6. Ossoriensis Epis. cujus sedes principalis est Kilkenniæ, ultimus episcopus erat . . . (sic).

#### PROVINCIA CASSELIENSIS.

Provincia Cas. complectitur utramque Momoniam et partem Conaciæ, continetque sequentes Episcopatus.

1. Cass. Episcopatus.

2. Imolacensis Episcopatus qui nunc Casseliensi unitur, an vero perpetuo an ad tempus nescio. Archiepiscopus modernus nominatur Dom. David Carneus, residetque in Hibernia. Ultimus autem episcopus Cass. fuit Dom. Dermitius O'Hurley martyrio glorioso Dublinii consummatus mense Maio anno 1584, jubente domino Henrico Wallop, justiciario Hybernæ.

3. Waterford. epis.

4. Lismoren. Hi duo a multo tempore erant uniti.

5. Cluanensis Epis.

6. Corcagiensis Epis. qui duo etiam a multo tempore erant uniti. Ultimus episcopus erat Dom. Dermitius Graius, vir valde prudens, et in rebus agendis versatus, vixit circa annum Domini 1599: tunc vidi illum et aliquando postea vixit.

him before that time for the administration of the province in his absence.\*

7. Rossens. Epis. : (added in a different hand) hujus ultimus epis. erat Fr. Boetius Eganus ex ordine min. reg. observantiæ, rei Catholicæ promotor egregius, pro qua nobile martyrium obiit anno 1650.

8. Ardfer. Epis.

9. Kilfen. Epis. hujus ultimus epis. erat Fr. Hugo Maclanchus ordinis min.

10. Limer. Epis.

11. Laonensis Epis. huic nuper præfuit Fr. Cornelius Ryan, vixit circa annum 1615.

#### PROVINCIA TUAMENSIS

Provincia Tuamensis complectitur tantum partem Conaciæ, nam duo episcopatus ex Conacia sunt in prov. Ardmach; et duo in prov. Cassel. In ipsa tamen Tuamensi sunt sequentes Epis.

1. Tuamensis Archiepiscopus.

2. Mayonensis Epis.

3. Anachdun. Epis. prope Galviam. Hi tres a multo tempore sunt uniti. Ultimus episcopus erat Fr. Patritius O'Hely, de quo mentio fit in parte chronicorum nostri ordinis, qui cum socio suo fratre Conatio O'Ruarke, ejusdem ordin. min. in oppido Cillociæ in Momonia anno 1570, glorioso martyrio coronati sunt, justiciario Hybernæ ex parte reginæ Elizabethæ existente Gulielmo Drury, Anglo, de quibus infra adhuc dicetur, Archiepiscopus autem nunc ex eodem ordine assumptus fuit cum esset minister provincialis Hybernæ, Fr. Florentius Conry nomine, vivit adhuc, et de eo aliqua infra dicentur.

4. Clonfert. Epis. cujus ultimus episcopus erat Fr. Thadæus Ferralis ord. S. Dominici, hic mortuus est in oppido Kinsaliæ cum auxiliariis Hispanis missis cum ipso et archiepis. Dublin. ad bellum Catholicorum cum hæreticis in Hibernia promovendum, idque dum oppidum ipsum obsidione angustaretur ab hæreticis anno .... (*sic*).

5. Aladens. Epis.

6. Achad. Epis. ultimus hujus epis. erat Eugenius Hartius: hic inter cæteros erat in concilio Tridentino, et vixit grandævus, robustus tamen circa A.D. 1597, quo tempore ego illum vidi.

7. Elphin. Epis. nec potui reperire memoriam de aliquo illius episcopo. Hæc sunt quæ mihi occurrerunt de episcopatibus Hiberniæ, alii meliora addent, nec enim mihi arrego omnia; quæ autem scribo vera relatione comperi: (added in the margin in a different hand as above) ultimus ejus epis. erat. Revmus. Fr. Boetius Eganus ex ordine min. de observantia, vir venerabilis, prædicator eximius, et collegii S. Antonii a Padua Lovanii filius, vitam consummavit plenus dierum anno 1650.

\* See letter of the above date signed "Mauritius Hurlæus elect. Imol. Ricardus Arthurus elect. Limeric," to John Roche, D.D., their agent in Rome, requesting him, as the time of their consecration approaches, and as there is but *one bishop* now in Ireland, Dr. Rothe of Ossory, to obtain for him a commission to consecrate them, assisted by two abbots, a privilege granted on former occasions to Irish bishops. The "consultatio unitiva inter ordinarios et superiores Regularium," Kilkenny, Sept. 4, 1624, is signed after the bishops by David Kearney, V.G. of Cashel, in the absence of the archbishop.

## THOMAS WALSH.

[In the paper supplicating for the Bull of Thomas Walsh\* it is stated he was born in Waterford of Catholic parents, an eminent divine and preacher; distinguished for learning, virtue, and practical experience, now in his forty-sixth year, vicar of Waterford, which see he governed well for many years. His profession, petitioners add, is enclosed and duly signed, and they therefore pray for the immediate expedition of the Bulls with the usual dispensations, and an order that they shall be forwarded 'gratis,' according to the custom in the Irish Church.†

On the 7th June, 1626, at Rome, at the same altar with his distinguished countryman, Primate McCaghwell, Thomas Walsh was consecrated archbishop of Cashel.‡ To him Barnabas Kearney, S.J.,

\* The printing of these "Collections," was suspended for more than an entire year in the hope of finding in some library, at home or abroad, a copy of this archbishop's life, by William St. Leger, S.J. The full title is "*De vita ac Morte illustrissimi D. Thomæ Valesii, archiepiscopi Casseliensis in Hibernia: Auctore Gulielmo Salingero, S.J.—Antverpiæ, 1655, 4to.*" It is noticed in the "*Bibliotheca Patrum, S.J.*," by Nathanael Sotvellus, Rome, 1676, (*sub voc. Gulielmus*); by Dr. Lynch in the "*Alithinologia*," p. 101, to which I shall refer again; by Dr. Oliver in his "Collections," p. 265, who gives a brief sketch of St. Leger's life. This last account is plainly taken from the "*Bibliotheca Patrum*," and in a letter to the editor from Dr. Oliver, written not long before his lamented decease, he acknowledges he never saw a copy of St. Leger's work. The bibliographical compilations, appropriated to the description of rare and curious books, with hardly an exception, contain no reference to the life of Walsh. The Irish writers since Lynch's time never quote it, and of our Irish scholars I could not find one who saw the book, and many of the best informed of those whom I consulted never heard of it. Still the fact of publication is put beyond all question on the authority of Southwell and Lynch. The inquiries of others will, I hope, prove more successful than mine, as it is much to be regretted that a history written by a contemporary, embracing a period full of interest, should remain so long secret and unknown; I can only say for myself, that I have searched perhaps every library in Europe where I thought there was any chance of finding this vol., and corresponded with the best known booksellers and book-collectors, and that all my exertions have been hitherto in vain. Should I be fortunate enough to procure the work before the publication of this vol. I will add the most important parts in the Appen.; for the present I must only use the scanty materials which other sources supply.

† "*Cum dispensatione super defectu gradus Doctoratus, et cum retentione compatibilium, ac cum decreto quod expeditio fiat gratis, juxta solitum ecclesiarum Hiberniæ.*" This petition seems to have been presented by the clergy of Cashel.

‡ Wad. Annals, tom. ii. p. 562, No. XLV. *sub. an.* 1254. See extract, p. 27, *sup.*

brother of the late archbishop, dedicated his sermons on the Passion of our Lord (*Conciones de Passione Domini*, Paris, 8vo, 1633), in the preface to which he highly commends Dr. Walsh's family, acquisitions, and zeal for religion. "To whom," he asks, "should I rather dedicate the fruit of my labours, when I remember thy exertions in cultivating this vineyard? There are other titles too, by which all the ministers of God in this province are bound to thee, for not to speak of thy virtues, which all thy countrymen declare to be of the highest order, and foreigners look up to with respect, such are thy prudence and moderation, such have been always thy constancy and love of religion, that thou hast won the esteem of all who prize these good qualities. On account of thy illustrious birth, of the piety of thy ancestors, and of the purity of thy morals, thou hast been loved at home and respected abroad, and chosen by Urban VIII. to be archbishop of Cashel, and Metropolitan of Munster."\*

Whatever might have been the services of Dr. Walsh as vicar of Waterford in those troubled times, they would hardly have been known so widely were it not for the patronage and support of the celebrated Luke Wadding, then agent of the Irish clergy at Rome. All the bishops, indeed, appointed to sees in Ireland from 1624 to 1646 owed their nomination to him, and found in him a sincere and active friend, worthy of their entire confidence. Hence Dr. Walsh, as well as the other archbishops, entrusted to Wadding the management of his most important business at the Roman court, and was the first to sign the petition of the supreme council praying the Pope to raise him to the dignity of cardinal.

I have not yet ascertained how soon after his consecration Dr. Walsh returned to Ireland, but it cannot have been long before the beginning of 1629, for in a letter to the general of the Jesuits, dated 20th July that year, he refers to a former communication describing his journey homewards, and the visits his Grace received

\* Enim vero cui potius ego laboris mei fructus in Hibernia prælibandos offerrem quam tibi, cum probe sciam quantis tuis sudoribus hic ager irrigetur. Alia quoque nomina sunt, quibus obstricti tibi sumus, quotquot in hac colonia Deo laboramus. Ut enim missam faciam virtutem tuam, quam certe summam cives agnoscunt, quam exteri suscipiunt: ea prudentia, moderatione, constantia, religione semper extitisti, ut omnibus iis te maxime charum feceris, a quibus hæ virtutes amabantur. Et ut alias tuas dotes ego præteream, ne vel in apertissimis rebus explicandis assentator esse videar, facere sane non possum, quin insinuem te illis tuis virtutibus, apud exteras insignem famam nostræ nationi sæpe numero conciliasse; adeo prodesse solet omnibus ea probitas ad commendationem, quæ vel in uno vehementius elucet. Hæc causa profecto fuit, cur ob familiæ tuæ splendorem, cur ab majorum pietatem, cur ab morum innocentiam, cur ob nominis integritatem te tui cives amaverint, cur exteræ gentes unice coluerint, cur te summus Pontifex Urbanus VIII. archiepiscopum Casseliensem, totiusque (Momonæ) Metropolitanum constituerit.

from Robert Nugent, Barnaby Kearney, Walter Wale, and other members of the Society since his return, thus implying that he had not spent as yet a very long time in Ireland, and therefore could not suggest to the general before this the plan he now recommends for the advancement of the order in Ireland.\*

During the dozen years that intervened from his arrival in this country up to the first meeting of the confederates in Kilkenny, very few traces of Dr. Walsh's life, public or private, are marked by our annalists. In this interval he built, or, if the narrative of some contemporary historians be correct, gave money for the purpose of building, an ecclesiastical college, in the ancient town of Cashel.† The establishment of seminaries for the education of the clergy and laity was certainly with him, as it deserved to be, an ob-

\* "REVERENDISSIME PATER,

"De progressu itineris in patriam, de fratris appulsu, et patrum in me humanitate per P. Batheum procuratorem missionis P. V. Rmæ. certiores reddidi : habeo nunc scribere, quod in cursu visitationis suæ me inviserit R. admodum P. Robertus Nugentius vestræ missionis superior, et cum eo consultores ipsius P. P. Barnabas Carnæus, et Walterus Wale, quibus et adjunctus est P. Jo. Baptista: quo in congressu, inter alia, ipsi proposui modum promovendi vestram in hoc Regno Missionem, quæ mihi sanè cordi est; isque optimus unicus et maxime efficax visus est (prout coram Pte. V. Rmæ. exposueram id consilii tum approbante); nimirum ut selectus aliquis in urbe maneat, qui superiori missionis aliisque transmarinis Patribus corresponderet, et pro nata occasione invigilaret, quid pro missione præstari posset, quid Pti. V. Rmæ. proponeret, quidque demum in mandatis acciperet, ultro citroque significaret. Deinde ut alius Madriti in curia Catholicæ Majestatis constituitur, cujus procuratore indigentia missionis, æque ac seminariorum sublevetur. Ac ne hic Collegio oneri sit, per me licet licebitque illi consignare ex pensione mea centum ducentos singulis annis, ad demonstrandam, tantillo æris minuto, bonam animi mei in vestros propensionem. Hoc si concesserit P. V. Rma. ut duos a superiore nominandos illis in locis constituat, audeo non modo sperare, sed et promittere fore, ut hæc missio, ejusque semina ac negotia in dies efflorescant: cum alioquin (ut ingenue fatear) tanta sit oppressio, ac afflictio hujus patriæ, ut non videam qua meliore ratione juvari possit. Quare obnixè P. V. Rmæ. rogo, ut modum hunc, ac rationem observari faciat. Hoc Patres, hoc semina, hoc afflictia ipsa patria summis exoptant votis, et postulant. Quod superest Deum max. opt. precor ut P. V. Rmæ. diu servet incolumem, cujus precibus, et sacrificiis me valde comendo.

"E loco mansionis nostræ 20, Julii, 1629.

"Pti. V. Rmæ. addictissimus.

"THOMAS ARCHPUS, CASSELIENSIS."

† According to this last account the archbishop deposited the money in the hands of F. Robert Nugent, S.J., then superior of the Jesuit Irish mission, from whom the Nuncio borrowed it to provide for the pressing wants of the confederate army. See Dr. Oliver's "Collections," p. 261, who, plainly, did not read Lynch's *Alúthín*. p. 88, or else he would not have stated so unhesitatingly that the money was not repaid by the Nuncio.

ject of the greatest interest; and the offer, contained in the letter just quoted, to maintain at his own expense an agent at the Spanish court, to provide for the mission and schools under the care of the Irish fathers of the Society, proves at once his zeal for religion and his munificence.

The course pursued by Dr. Walsh from the first meeting of the national assembly in 1642 down to his own banishment, ten years afterwards, is, on the whole, perhaps, less open to objection than that of any other Irish bishop during the same eventful period. Not that his conduct was always more decided and straightforward, but it was more moderate and conciliatory; and had his example been generally followed by his brethren, the issue of the struggle in which they were engaged would have been far different. The great principle ever present to his mind seems to have been that obedience to the Nuncio, as the representative of the Holy See, was a solemn duty, until the policy he advocated should be proved inexpedient and injurious to the Catholic cause.\* Hence we find him on almost every question, if not warmly supporting, at least never actively opposing the Nuncio.

At the general assembly of the clergy at Waterford, Aug. 12, 1646, he signed the instrument rejecting the peace with Ormond,† and at the Kilkenny meeting, April 27, 1648, condemned the proposed treaty with Inchiquin.‡ He attended also the synod of Cashel, when the terms of that treaty were again brought under discussion.§ He did not, I think, even dispute the validity of the censures. The only positive act favouring the designs of Ormond which the most zealous supporters of the Nuncio's policy laid to Dr. Walsh's charge was, that he with the archbishop of Tuam waited on Ormond with overtures of peace at the request of the general assembly.|| But on the propriety of his conduct on this occasion we cannot pronounce a decided opinion, without a better knowledge of the circumstances in which the deputation was proposed, and of the manner in which the delegates discharged their commission. That he never wished thereby to promote the schemes and intrigues of Ormond, and was

\* According to Archdeacon Lynch, a decided Ormondist, it was *rumoured*, that the archbishop of Cashel, when about to sign the decree for renewing the war, asked the Nuncio whence the necessary funds could be provided, and when answered "from abroad," signed it, saying: "In nomine tuo laxabo rete."—*Alithin*. p. 89.

† *Hib. Dom.* p. 657.

‡ *Ibid.* sup. p. 889; Walsh's *Remon. App. of Instruments*.

§ *Jus Primatiæ Armac.* p. 20.

|| Farrell, Lynch's great adversary, complains of the archbishop's yielding to fear in consenting to appear before Ormond, 'for which fault he atoned by humbly asking absolution from the censures.'—Lynch's *Alithin*. pp. 75, 108, 113.



never reckoned among his adherents, is quite certain. For what could have prevented him then from subscribing the pastoral approving the peace, signed by the nine bishops who were known to be opposed to the Nuncio,\* and withdrawing his signature, as others did, from the document condemning that peace?†

He was not present at the synod of Jamestown in 1650 which directly impeached Ormond, but his subsequently signing the declaration adopted at that meeting, proves clearly his absence was unavoidable, and not designed with the view of screening the guilt of that unprincipled minister.

While this venerable prelate is thus free from the least imputation of opposing the Nuncio, he was by no means one of his violent partizans. He did not approve the excommunication, nor sign the sentence pronounced against the supreme council, nor take a leading part in the subsequent discussions. On the prudence of these measures the wisest and best men entertained different views; the line of duty was not clearly defined; he had only therefore to submit himself humbly to that authority which had the highest claims on his allegiance.

The reader who would learn more of the history of the times in which Dr. Walsh lived, will find a full and faithful outline elsewhere in this volume;‡ his conduct, on the whole, closely resembled that of the primate, both being regarded as the heads of the neutral party.

When our holy bishop was driven into exile I cannot say, for I find no mention of him in Ireland after 1651. He died at Compostella on the 5th May, 1654, and was there buried in the church of St. James.§

\* Jan. 18, 1649.—See their names in *Hib. Dom.* p. 687. The second last is "Patritius Dromorensis," who is not identified by De Burgo. The bishop alluded to was Patrick Plunkett of Ardagh, but why styled "Dromorensis" by De Burgo and Cox?

† The meeting which condemned the articles of cessation proposed by Lord Inchiquin was held on the 27th April, 1648, the treaty published on the 22nd May following, and the retractation on the 23rd January, 1649. The bishops who withdrew their signatures always insisted that the terms as first proposed were much modified after, whereas the Nuncio denied there was any change, and sought thus to prove contumacy on their part.

‡ See life of Dr. O'Reilly, p. 44,

§ The life of Thomas Walsh, archbishop of Cashel, quoted by Lynch, *Alithin*. p. 101, "*Typis mandata et prostat in qua legimus eum, omnibus episcopi partibus cumulate adimpletis, Compostellæ fatis concessisse 5 Maii anno salutis 1654; et justis ei summa cum pompa persolutis in Compostellana St. Jacobi Ecclesia sepulturæ traditum fuisse.*"

## WILLIAM BURGATT.\*

ABOUT the year 1658 or 1659 William Burgatt, Vicar-General of Emly, and Custos of Limerick diocese, was deputed by the Catholic clergy of the entire province of Munster as their sole agent to the court of Rome, for the transacting of their then important ecclesiastical affairs. The archbishop and clergy of Connaught also employed him as their agent, but a Dr. Cegan first, and afterwards (Cegan perhaps having died) a Dr. Dowling was joined with him in the latter commission. During the Protectorate of Cromwell his departure was delayed by the difficulty of collecting the money to defray expenses. On the restoration a large sum was made up from the contributions of the clergy. The change of circumstances made him then hesitate as to the necessity or expediency of the intended journey to Rome. He consulted the Earl of Clancarthy on his first coming to Ireland, and his lordship advised him not to stir in the affair till he had seen and consulted with Father Peter Walsh, the *Procurator*. In consequence he wrote to the friar, Peter Walsh, in August, 1662, shortly after his landing in Ireland, and earnestly requested an interview with him in Kilkenny or its neighbourhood, or wherever else he would appoint. Walsh found it however more favourable to the schismatical schemes he was at this time promoting, to bring the vicar as much as possible within the sphere of courtly corruption. He pressed him to come to Dublin, and there he accordingly came in October, 1662. Walsh worried him for six days consecutively with artful reasonings and promises, etc. to sign the Remonstrance, but all in vain. Walsh offered him an opportunity of being presented or privately introduced to the Lord Lieutenant. Burgatt declined the honour. Ormond himself wished it, seeing the high character given him by Clancarthy, and by John Walsh, Esq., and knowing his commission, and his own letters to Peter Walsh. Walsh pressed and entreated him, but he positively refused to be introduced.

Burgatt however felt the delicacy and danger of his situation in Dublin. He did not therefore take upon himself to condemn the Remonstrance, and if we believe Walsh, "constantly averred that he neither found anything in it that could not be justly owned, nor heard any in his own province hitherto speaking otherwise, or one word against it." (The truth is, it was scarcely heard or known in the province at that time.) "Yet whether," adds Walsh, "perverted by such obstinate persons of the Dublin clergy as he conversed with daily there, or biased by his own former principles, received at first from his bishop when alive, Terlaght O'Brien (a

\* From Walsh's Hist. of the Remonstrance. Treatise 1, Part 1, § 22, pp. 56, 57; Part 2, § 7, pp. 628-9.

† [Terence Albert O'Brien succeeded James O'Hurley in the see of Emly.

prelate of too much insolent zeal for Rinuccini's quarrel), or by his pretensions at Rome and intended journey thither, he would not sign at all then or there at Dublin." In order to avoid giving offence and incurring punishment, Burgatt alleged, very ingeniously, that since he came from the whole province of Munster to be informed" (to receive information), "he would have more influence in persuading those that delegated him by returning without pre-engagement and unpledged, than he otherwise would. He desired, nevertheless, the Procurator Walsh to write by him on the subject of the Remonstrance and its subscription, to the *Chief Vicar-General, or Apostolical* as they call him, John Burke\* of Cashel, to be by him communicated to the rest." Walsh wrote but never received an answer.

The similarity of names, it seems to me, would easily account for the tradition that a 'Terlough' was the successor of the martyred 'O'Hurley,' particularly as James O'Hurley was very little known.—See p. 256 *supra*; *Hib. Dom.* p. 523.]

\* Walsh's History of the Remonstrance, is the only authority to which we can appeal for an account of John Burke. All that is contained in the Remonstrance is added here, with references to each page.

JOHN BURKE, VIC. APOST. CASHEL.—John Burke was Vicar-General or Apostolic of Cashel in the year 1662, when Dr. Burgatt, then V.G. of Emly, came to meet Peter Walsh in Dublin. When Burgatt was solicited to sign the Remonstrance, he declined acting by himself, but advised Walsh to write to the chief Vic. Gen. or Apost. Dr. Burke, that he might communicate it to the other vicars-general of the province. Walsh did write, but Dr. Burke never answered the letter (*W. Remons.* p. 57). A mandate or summons (it was the fifth in order) was sent to Burke to attend the national synod of 1666, and he was requested, rather ordered, to make the object known to the vicars-general of the vacant sees—Emly, Waterford and Lismore, Cork, Ross, Cloyne, Limerick, Achadensis in Kerry, and Killaloe. The only see in Munster now occupied was Kilfenora, and as the bishop was in France, his vicar was to be summoned with the others. Of the other bishops of Munster, Dr. Barry, Cork, was the last deceased (pp. 574 and 575).

Three deputations waited on Ormond—first, Dr. Lynch and Dr. Plunkett; secondly, Dr. Burke and Dr. Fogarty, J.U.D.; Dr. Plunkett and Dr. Burke the third time. The first deputation was introduced by Walsh, a man on whom no one relied. But as Dr. Fogarty had been formerly acquainted with Ormonde in Paris, and more especially as Dr. Burke was *chaplain to Ormonde's mother, Lady Thurles*, they went unaccompanied to his Grace, and found him in the bowling-green near the castle, where he was amusing himself at play with some other nobles. On the 20th June they presented a petition, begging to have the synod dismissed, and stating reasons for not having signed the last three of the six Sorbonne propositions (p. 688).

Again on Saturday, June 23, 1666, Dr. Burke was chosen to accompany Dr. Plunkett, of Ardagh, to wait on Ormonde with the first three of the Sorbonne propositions, signed by all the members of the synod, except nine; for this paper had not been subscribed by any but the chairman when presented on the 16th of June. (First three propositions—"I. We, the undernamed, do hereby declare, that it is not our doctrine, that the Pope hath any authority in temporal affairs over our sovereign lord, King Charles II.; yea, we promise,

Another difficulty arose from the proposed journey to Rome. Walsh opposed with great earnestness, and at great length, his going there at least as a public person, or as the commissioned representative of both or either of the provinces. Did Burgatt positively persist in his purpose in opposition to Walsh, he knew he might be apprehended at the port at which he would embark. He therefore told Walsh he had occasion, at all events, to go to Paris to leave some youths there at school, and that by pretending some unforeseen difficulties there, he might satisfy his friends with some better apology than by refusing to go at all, after they had collected money for him and depended on him now for three or four years. Walsh was tolerably well satisfied. Burgatt returned to Cashel, and set off for Paris in a few months after without any opposition

that we shall still oppose them who shall assert any power, either direct or indirect, over him in civil or temporal affairs. II. That it is our doctrine, that our gracious king Charles II. is so absolute and independent, that he doth not acknowledge, nor hath in civil or temporal affairs any power under God, and that to be our constant doctrine, from which we shall never recede. III. That it is our doctrine, that we subjects owe so natural and just obedience unto our king, that no power under any pretence soever, can either dispense us or free us from the same.") These two deputies were introduced at night by Walsh to Ormonde, who received them in his private drawingroom. He showed much chagrin and disappointment at their refusal to sign the other three propositions; which besides all other objections to them, the petitioners declared rightly had no connection whatever with their duty to their king. (Last three propositions.—"IV. That the same faculty doth not approve, nor ever did, any propositions contrary to the French king's authority, or true liberties of the Gallican church, or canons received in the same kingdom; for example, that the Pope can depose bishops against the same canons. V. That it is not the doctrine of the same faculty, that the Pope is above the general council. VI. That it is not the doctrine or dogma of the faculty, that the Pope without the consent of the Church is infallible.")

When Dr. Burke at parting declared himself ready to receive his Grace's commands to his mother, the Right Hon. Lady Thurles, to whom he had the honour of serving as chaplain, Ormonde replied: "If you be my mother's chaplain, I must provide for her a fitter and better chaplain than you" (pp. 695 and 696).

On Monday, June 25th, 1666, the fathers being assembled to hear the report of these deputies, Walsh announced to them Ormond's positive orders to dissolve immediately. Dr. Plunkett resisted this interference, and supported by Dr. Burke, gave a favourable account of the previous interview with Ormond (p. 704).

That same day Dr. Burke told Walsh it was useless to search for Dr. Lynch, because he had changed lodgings, and probably left town already: a prudent course that saved him from imprisonment, or perhaps death (p. 744). It is plain Dr. Burke's policy and principles were not approved by Walsh, who accuses him of being a great intriguer, "though in all things else dull enough" (p. 744).

from the government, and from thence travelled without delay to Rome, where he arrived in 1663.

It is easy to perceive from one of his letters\* to Primate E. O'Reilly, that Burgatt did not change his opinion on the Remonstrance while he remained at Rome. On the contrary, Walsh confidently ascribes to his interference and advice the letters addressed by Cardinal Francis Barberini, and by James Rospigliosi, the Apostolical internuncio at Brussels, to the bishops and clergy of Ireland, dissuading them from its adoption, and cautioning them against the snare that was laid for them. Dr. Burgatt's letter was written from Rome, and though it is not dated, yet as it was written to the primate to Paris, and as he received it before his departure after a very short stay from that city, it must have been written in March, 1666. It runs thus:—

MY LORD,

I suppose Dr. Brennan informs your Illustrissimo of passages here from time to time which I omit to do, to avoid troublesom repetitions. That meeting intended in Ireland is ill-taken; his holiness therewith acquainted willed a congregation to be held thereupon, as Cardinal Patron told me, not yet had. Monfroni tells me, some letters they will soon dispatch to hinder the same. Yesterday I acquainted him with those reasons your Illustrissimo writes in yours to Dr. Brennan, for not going to Flanders, which he took very well and approved, expressing the intent to be to avoid jealousies in the present conjuncture of affairs, which to do your Illustrissimo his resolution for Britain seemed most opportune, and promised upon occasion he would acquaint his Holiness therewith. Though they promise something will be soon done in settling our hierarchy, yet I am of opinion, they will expect to see what effects the present great preparation and regulations over all Christendom will begin to produce. By their recklessness of the affairs of unhappy Ireland, they suffered them to grow to that intricacy, as now it seems irksome to hear of them, and upon the least shadow of reason they put them by. I did, in the beginning of *February last*, acquaint Monfroni with the intended meeting in Ireland (for then I had notice thereof), but he made no matter of it; neither when your Lordship sent a copy of the summons delivered him by Dr. Brennan, till many days after stirred by Albrici, he acquainted his Holiness with the business, and do verily believe he had some check, for he passionately complained *even* to me, that your Grace did much forget in not sending something authentical, or writing to himself or the Congregation; and of me also to others, in that I did not repair homewards with that settlement you heard of, whereby I may help to prevent such inconveniencies: but I think I have, at long running, satisfied him, and am sure have others, of greater note, of my deportment therein. You see, my lord, in what condition the concerns of miserable Ireland be; God in his great mercy look upon us, and send what is most to His own glory and good of his Church." Walsh adds: "The rest were only private business and salutes to his friends. After which he subscribes thus"—

My Lord,

Your Illustrissimo's most humble and faithful servant,

WILL. BURGATT."

\* From Walsh, pp. 628 and 629.

This very letter was brought by the primate O'Reilly from Paris, and with other papers was delivered to (or taken up by) Ormond immediately after the primate's landing in Ireland on 15th June, 1666, and that same night handed by Ormond to Peter Walsh. It needs no comment, says Walsh, to show how active Burgatt was, nor what alarm the Remonstrance excited at Rome, since a special congregation of cardinals was ordered, and indeed soon after held upon it. "But Father Burgatt must be excused, since by such endeavours he aimed at the archbishopric of Cashel, which he obtained after as a reward of his zeal for the Holy See, and the consequential alienation of the king's subjects from the allegiance they owe him here at least in temporals. And upon the same ground must Dr. Brennan also be excused, since he was no less ambitious of a mitre, and hath *now* that of Waterford, which hath he not been known a zealous ante-remonstrant (though otherwise not known at all in Ireland then), he had never obtained from that court." Walsh also tells us (p. 628) the date of his consecration. "Of him (Burgatt) (who is now, since the year 1669, made archbishop of Cashel) I have spoken somewhat before (Part 1, § 22, p. 56)." In p. 57, he said that Burgatt "solicited at Rome ever since (*i.e.* from 1663 to 1666, when he tells in Pref. xlvii. this part of his work was written), and lost both his money and time without compassing *as yet* any of his designs."

From the letter now quoted it is obvious, that the filling up of the hierarchy was part of his business with the Holy See; but it is also obvious that though he succeeded in effecting other purposes, he did not expect in 1666 to see that object soon obtained, much less did he think of being exalted himself to the dignity of archbishop. However, about two years after the date of this letter, the Holy Father began to devise effectual means, not only of supplying the Irish people with spiritual guides, but also of procuring to these pastors some little security. Peter Barzelini, the Papal internuncio at Paris, was directed to solicit the interference of the queen mother of England with her son Charles II.; while Louis XIV. and his court supported the internuncio's application with all the influence a monarch and a nephew could command. The queen mother easily yielded assent to their request; she forwarded to her son the reasons of justice and of policy that were represented to her, and Charles influenced not less by these than by her entreaty, tacitly connived at the appointment of a few bishops and their residence in Ireland. Among these, and probably the first of them, were the appointments of the venerable Oliver Plunkett to Armagh, and of Dr. Burgatt to Cashel. They were both at the time residing at Rome, the one as professor in the Propaganda, the other as agent of the Irish clergy in Munster and Connaught: for I find no vestige of Dr. Burgatt having left Rome to return to Ireland till after his appointment; nor was his business there completed till the question

of the hierarchy was settled. Nay, it would appear not improbable, that both were consecrated together on the same day and at the same altar. For it is quite certain that both were consecrated the very same year, 1669; it is also certain that Burgatt held ordinations that year in Ireland after his return, and must therefore have been a bishop as early as August, the time of Plunkett's consecration; and it does not appear consistent with the formalities of the Roman court, to suppose that the inferior archbishop was consecrated before the primate, nor with its prudent secrecy at that time in managing Irish affairs, to believe that the *solemn* ceremony was unnecessarily repeated twice within a few weeks.

[Dr. Burgatt subscribed the declaration against the peace with Ormond at the meeting of Waterford on the 12th August, 1646, as *Vicar-Apostolic* of Emly. This title could not be well applied, as the author of the *Hib. Dominicana* justly observes, since Terence O'Brien was bishop of Emly at the above date, and for five years after. Burgatt should have been called therefore vicar-general or vicar simply, being the representative of the bishop who was absent probably from sickness or other just cause.\*

The earliest ordination of Dr. Burgatt in the register of 1704 is "William Martell, Blarney, at Frard (Fethard), Co. Tipperary, 1668;" and the latest "Daniel O'Connor, Abbeyfeale, Co. Limerick, at Cashel, 1674."

The first date, if correct, would of course prove that both archbishops were not, as stated above, consecrated the same day, nor even the same year; but there are too many obvious errors in the Register to rely on its authority.†]

\* *Hib. Dom.* pp. 488, 658; cf. Porter's *Annales Hiberniæ*, p. 285.

† I have compared the list published in the "Catholic Registry" with a copy of the original Register in Clongowes Wood Library, and the years when 'orders were received' are all faithfully reprinted, except the following:—

| NAMES.                                      | WHEN ORDAINED.                                                 | CORRECTED DATE. |
|---------------------------------------------|----------------------------------------------------------------|-----------------|
| James MacGee, Arglass, Co. Down, .          | 1674 should be .                                               | . 1697          |
| Owen Deenlea, Kilcommen, Kerry, .           | 1688 should be .                                               | . 1668          |
| John Welsh, Kildrought, Kildare, .          | 1690 should be .                                               | . 1696          |
| Patrick Allen, Donaghmore, Meath, .         | 1672 should be .                                               | . 1692          |
| William Hanly, Clonagormagon, Roscommon, .  | 1684 should be .                                               | . 1674          |
| Adam Magrath, LORHA, Tipperary, .           | 1670 should be .                                               | . 1675          |
| Nicholas Maccanny, Affane, Waterford, .     | 1673 should be .                                               | . 1670          |
| Morris English, Mothill, Waterford, .       | 1692 should be "Received orders twelve years ago."             |                 |
| Thomas English, Rathgormuck, Waterford, .   | 1671 should be "Received orders about thirty-three years ago." |                 |
| Richard Castellow, Stradbally, Waterford, . | 1676 should be "Received orders about twenty-seven years ago." |                 |
| John Kennedy, Ballynantine, Waterford, .    | 1692 should be "Received orders twelve years ago."             |                 |
| John Power, Kilmedane, Waterford, .         | 1677 should be "Received orders twenty-seven years ago."       |                 |

## JOHN BRENNAN.

[JOHN BRENNAN was bishop of Waterford and Lismore in 1676.\* how long before cannot be well determined. For his accession a much earlier date is given in the Register of 1704, according to which he ordained James Daniel, Co. Tipperary, priest, on the 12th

| NAMES.                                       | WHEN ORDAINED.                                             |
|----------------------------------------------|------------------------------------------------------------|
| Thomas Clansy, Crooke, Waterford, . . .      | 1674 should be "Received orders thirty years ago."         |
| James Mackee, Baltinglass, Wicklow, . . .    | no date should be "The year before Plunkett was executed." |
| Richard Redmond, Whitechurch, Wexford, . . . | 1688 should be . . . 1674                                  |

Errors as to 'age' are few :

| NAMES                                             | YEARS OF AGE.   |
|---------------------------------------------------|-----------------|
| DI. MacGilmurry, Cregan, Armagh, . . .            | 44 should be 54 |
| Patrick Parlan, Loughall, Armagh, . . .           | 54 " 44         |
| Henry Crelly, Grange of Agivy, Londonderry, . . . | 86 " 30         |
| Bryan Reilly, Columbkille, Longford, . . .        | 55 " 54         |
| James Carr, Whiterath, Louth, . . .               | 48 " 58         |
| Rosse M'Mahon, Enniskeene, Louth, . . .           | 58 " 48         |
| Thomas Fleming, Druncouragh, Meath, . . .         | 44 " 54         |
| William Cullenan, Athboy, Meath, . . .            | 54 " 44         |

In the names or titles of bishops I noticed the following errors:—

| NAMES.                                               | ORDAINED BY                                                                                    |
|------------------------------------------------------|------------------------------------------------------------------------------------------------|
| Donagh Cleary, Dury, Clare, . . .                    | Patrick Plunkett, tit. bishop of <i>Armagh</i> , for Ardagh.                                   |
| Patrick Murphy, Aghaveah, Fermanagh, . . .           | By whom ordained not stated in reprint, should be Dan. Mackey, tit. bishop of Down and Connor. |
| Rosse M'Mahon, Enniskeene, . . .                     | Oliver Plunkett, archbishop of <i>Meath</i> , for archbishop of <i>Armagh</i> .                |
| Joseph Burke, place of abode Carne, no parish, . . . | Bishop of Venice, should be suffragan of the bishop of Venice.                                 |
| William English, Tubrid, Tipperary, . . .            | William Burgatt, archbishop of <i>Armagh</i> , for Cashel.                                     |
| William Hurru, Ardfinane, Tipperary, . . .           | <i>James Brenane</i> , tit. archbishop of <i>Cashel</i> , should be John.                      |
| Garret Fitzgerald, Templemohill, Waterford, . . .    | Andrew Clancy, should be Andrew Lency.                                                         |

These corrections will be of use, it is hoped, to many who have not an opportunity of comparing the "Catholic Registry" with the original "List of the names of the Popish parish priests throughout the several counties in the kingdom of Ireland," printed by order of government in 1704. In this "Catholic Registry" many other mistakes are copied exactly from the first returns. Thus in the original edition, Manus Fagan (Down), and Edmund Degany (Cavan), are said to have been ordained by Oliver Plunket in 1685, four years after the archbishop's death. The last two ordinations of the Co. Donegal are ascribed to *Patrick Plunket*, tit. bishop of *Armagh*, who is also styled twice archbishop of *Dublin*; and again "*Arthur Plunket*, tit. archbishop of *Dublin*."

\* Statutes of Cashel, 12mo. Dublin, 1813. INFORMATION, *inf.*—From these, as well as from the above letter of Burgatt, it appears he and Brennan were together in Rome.



of May, 1658; but this is plainly an error (perhaps for 1685), because the said James Daniel is stated to have been only 56 years of age in 1704, when the census was taken. Another entry in the same register shows that John Carroll, Co. Waterford, received orders from 'John, titular bishop of Cashel,' in 1672;\* and this last date agrees well with the statement of P. Walsh, who says that when he was writing the second part of the first treatise on the Remonstrance in 1762-63, Dr. Brennan had then possession of the see of Waterford.†

The year in which Dr. Brennan was translated to Cashel is also uncertain: it must have been before 1680. Maurice Fitzgerald, one of the Irish informers of the Popish plot, swore "That on or about winter 1676, after Captain *Thomas MacInerina* returned out of *Flanders* and *France*, whither he had been employed as agent from the Irish gentry, there was a very great meeting at Colonel *Pierce Lacy's* house at *Curra*, where met besides the said colonel, the Lord of *Brittas*; *Molowny*, the Popish titular bishop of *Killalow*; *Brenane*, the Popish bishop of *Waterford*; *Duly*, the Popish bishop of *Limerick*; two Jesuits, whose names this informant knows not, etc." In his second information, John M'Namara deposed: "That in the year 1676, one *John Brennan*, which was then lately come out of Rome, was made archbishop of *Cashel*, *Waterford*, and *Lismore*:‡ and that by the titular primate of *Ireland*, the said *Brenan* producing Bulls from the Pope to the said primate for that purpose, together with several other Bills brought over by the said *Brenan*, which *Dean Power*, the Earl of *Tyrone's* kinsman, informed him of, as hereafter is treated." Now though we cannot rely on statements made by these informers of what passed at pretended private meetings, we may be sure they would not think of styling one archbishop of Cashel who was not publicly so reputed; for the more unfounded their accusations of secret plottings, the more cautiously would they eschew open and easily detected falsehoods. Such was the cunning of these men, indeed, that some excluded all human testimony against

\* This refers probably to the title by which he was best known to the priest who made the return. In the same list Dr. Brennan, after his translation to Cashel, is often called bishop of Waterford and Lismore.

† Walsh's Hist. of the Remonstrance, p. 629, and the Preface to the Reader, p. xlviii. § 3.—After saying of Dr. Burgatt, p. 628, "He is now since the year 1669 made archbishop of Cashel," Walsh adds, p. 629, "Dr. Brennan must be also excused, since he was no less ambitious of a mitre, and hath now that of Waterford." Both were 'zealous anti-Remonstrants,' and therefore in little favour with the intriguing Walsh.

‡ Archbishop of Cashel, *Waterford*, and *Lismore* was suggested of course by the fact, that Dr. Brennan held the administration of Waterford and Lismore until his death, when Richard Perse was nominated 28th January, 1694, to that see.—Letter of Dr. Comerford, July 9th, 1699, to the Cardinal Prefect of Propaganda—Theiner MSS.

them, declaring that it was only through their confessor they became aware of the horrid conspiracy. It is then most likely that Dr. Brennan was bishop of Waterford and Lismore only (perhaps administrator of Cashel) in 1676 as Fitzgerald asserts, and archbishop of Cashel, as he is styled by M'Namara, in 1680 with the administration of Waterford and Lismore.\*

As archbishop of Cashel he presided over an important provincial council held in that city, the 6th of October, 1685, at which were present also Peter Creagh, then bishop of Cork; John Saul, V.G., Cashel; Thomas Kennedy and James M'Enery, V.G.'s, Killaloe; Thaddeus O'Hea, V.G., Emly; John Connolly, V.G., Ross; John Stritch, V.G., Limerick; Cornelius Daly, V.G., Aghadoo; James Elligot, Procurator of Cloyne; with two Cistercian abbots, and many theologians from the several dioceses in the province.† Following the example of the national councils of Waterford 1643, and Kilkenny 1644, the fathers received the Council of Trent, except the decree annulling clandestine marriages, and such provisions as would be incompatible with the circumstances of the time and country. They prohibited priests from saying Mass in the open air, or other places unbecoming the dignity of divine worship; and from celebrating twice on the same festival, unless when the parishes were so distant, that the people could not meet together conveniently. Priests are reminded of their duties: to offer the holy sacrifice with all possible reverence; to keep the sacred vessels, vestments, and whatever else is required for the altar, with the greatest care; and not to demand money before the administration of the sacraments, lest it may create suspicion of avarice, though they may and ought seek the means of support, and explain at other times the obligation of the faithful to support their pastors, "For the labourer is worthy of his hire."

The faithful are to be instructed how to make a good confession, and in the knowledge necessary for that end; and that they must receive Easter communion from their own parish priests.

The impediments of matrimony which occur more frequently are to be explained to them: those who knowingly contract marriage within the forbidden degrees of kindred, are to be excluded from Mass.

If any priest, secular or regular, shall attempt to assist at mar-

\* The several INFORMATIONS of JOHN M'NAMARA,  
MAURICE FITZGERALD, and } Gent.  
JAMES NASH, }

relating to the horrid Popish Plot in Ireland, together with the resolutions of the Commons in Parliament upon said INFORMATIONS, and message from the Lords spiritual and temporal in Parliament, Thursday, the 6th January, 1680.—*London*. 1680.

† See Appendix C for the original decrees, and the PSALTER of Cashel by Dr. C. Butler for a good summary of them.

riage, or give the nuptial benediction (which should be always sought, and a good confession made beforehand,) without leave of the parish priest, he is thereby suspended until absolved by the ordinary of him who had the right to assist.

Dispensations given by regulars and others who have no power to grant them, are declared vain and worthless, and such marriages invalid.

All parish priests are to keep exact registers of baptism, marriages, and deaths.

The ordinaries of the various dioceses shall guard against the introduction of new and strange opinions in faith and morals, opposed to the doctrine sanctioned by the Holy See and the Catholic Church.

Priests who find it necessary to remain during the night in the houses of their flocks, are requested to recite the Litany of the Blessed Virgin Mary, to use holy water, and to exhort the household to be faithful in their morning and night prayers.

Instructions are then added regarding the ceremonies of baptism, granting dimissorials, diocesan visitations, relics, and inventories of church property.

Such are the chief enactments of this council, drawn up with wonderful precision and prudence, considering the wants of the church in those days. We noticed already\* the zeal with which the Irish prelates availed themselves of the liberty they now enjoyed of deliberating together, and their efforts to restore discipline and promote piety. In each of the provinces synods were held about this time for the same purpose.

By like measures skilfully devised to guard and extend the faith, Dr. Brennan earned for himself the bitter hostility of the faction, that before then aimed at nothing less than the extirpation of the whole Irish race and the Catholic religion. He was therefore accused of treason, as we have seen, and escaped with his life, only because it was more difficult to arrest him than other prelates, who died on the scaffold or in prison on the same charge. A striking proof of his zeal and perseverance is incidentally given by Harris in his "Lives of the Protestant bishops." When translated to the archbishopric of Cashel, he found Thomas Price in possession of that see by order of government, "a prelate," Harris boasts, "who took great pains in reclaiming the Papists to the communion of the church of Ireland, and for that end maintained many Irish clergymen to preach to them in their country language. But he had *very little success in these his laudable endeavours*, for the Popish priests were no less active on the other hand to put a stop to his designs."†

\* p. 230, *supra*.

† Harris's Ware's Bishops, p. 487.—This writer complains that on the death of Thomas Price, 4th August, 1684, the revenues of Cashel and Emly were distributed by James II. among the Catholic bishops, some of whom re-

Though the efforts of the "Popish bishop" are not expressly referred to here, he bore, we may be sure, the chief part in frustrating

ceived £200, and some £100 a year. Such pensions were ordered to be paid to the four archbishops, and others of their brethren; they were taken from the treasury remaining in the exchequer of the kingdom of Ireland, and partly from the church property unjustly seized by Price's predecessors; and if tithes were sometimes thus applied to the support of the Catholic clergy—such a policy might have been unconstitutional as opposed to the existing law, and imprudent in James's critical position, it was still the only just policy, which must sooner or later be adopted by the government of this country, if they would allay all religious and national animosities, and rule over a united people.

The letter of James granting these pensions "to the Most Rev. Father in God, Dominick, archbishop of Armagh, Primate of our kingdom of Ireland," has been referred to before in the life of Dr. Russell. We may observe here, that the learned editor of the "*Macariæ Excidium*" who quotes it, fails to identify 'John Brennan,' archbishop of Cashel; and also omits by some accident from that list a few of the names. As the document is of much historical interest, it is inserted here with the omissions of Mr. O'Callaghan marked in italics, and other letters illustrating it—some unpublished.

*"To the Most holy Father in God, Dominick, archbishop of Armagh, and Primate of our kingdom of Ireland.*

Whitehall, March 22nd, 1685-6, and the second year of our reign.

"MOST REV. FATHER IN GOD,

We greet you well. Whereas we have directed that certain sums of money should be issued to you from time to time out of our treasury, remaining in our exchequer in our kingdom of Ireland, our will and pleasure is, and we do hereby authorize you to retain for your own use, out of the said monies so to be received by you, £300 per annum; and that you pay or cause to be paid to Patrick Russell, £200 per annum; to John Brennan, £200 per annum; to *James Lynch*, £200 per annum; to Patrick Tyrrell, £200 per annum; to Dominick Burke, £150 per annum; to John Molony, £150 per annum; to *Luke Wadding*, £150 per annum; to *Peter Creagh*, £150 per annum; to *James Cusack*, £150 per annum; to Edward Weasly, £150 per annum; and to Alexius Stafford, £40 per annum, the said respective payments to be received as of our free gift, and to commence from the feast of St. Michael the Archangel, last past, and to continue for and during our pleasure, etc.

By His Majesty's Command,

[State Paper Office, Ireland.]

SUNDERLAND, S."

From the correspondence of CLARENDON and ROCHESTER. By S. W. Singer, London, 1828. Vol. i. p. 446.

"Dublin, June 12th, 1686.

MY LORD,

Two nights since the R. Catholic Primate came to me, and asked me whether I had any orders for the paying him any money. I told him I had not; he said he had a letter from the king, declaring his intentions what his Majesty intended to allow every archbishop and bishop, and that all the money was to be paid to him, and he was in hopes I might have had orders in it by this time. I assured him I had none, and that he should know it as soon as

this scheme for the perversion of the people. If he slept at his post, the zeal of the clergy would have been less active, or directed with less prudence.

I had any. He then desired me to write to your lordship about it, which I promised him to do, and I shall be glad to receive his Majesty's directions what answer to make herein.

I am, with great respect,

My Lord,

Your Lordship's most faithful, and most humble servant,  
CLARENDON."

—o—  
"Dublin, June 20th, 1686.

"MY LORD,

His Majesty has been graciously pleased to allow the prelates of this country some livelihood, and chiefly by your lordship's interposition, as they are all most sensible of; we hoped my Lord Tyrconnell would bring us his Majesty's order to get it: being not yet come, we beg the continuation of your lordship's favours to us, in moving it to his Majesty that it may be sent. The sum his Majesty has been pleased to give me order to receive and distribute amongst them is, two thousand and a hundred and ninety pounds sterling: it commences from the feast of St. Michael the Archangel, last past. We wholly rely upon your lordship's favour, and beg that this dispatch may be sent with expedition, whilst we heartily pray for your lordship's long life and happiness, and most particularly,

My Lord,

Your Lordship's most obliged, and ever most humble servant.

DOMINICK ARMAGH.

[State Paper Office, Ireland.]

For the Rt. Hon. the Earl of Sunderland,  
Lord President of his Majesty's most  
Hon. Privy Council at court."

—o—  
"Dublin, July, 3rd, 1686.

"MY LORD,

I have given your lordship the trouble of a letter the 10th of the last, by way of Mr. Matthews (his Eminence of Norfolk's agent), begging the continuation of your lordship's favour, as I do now, in interposing with his Majesty, that he may be graciously pleased to grant his dispatch for the payment of the pensions he has been pleased to grant the prelates of this kingdom; the respective sums in the order he has been pleased to give me to distribute amongst them amounts to two thousand one hundred and ninety pounds sterling, the payment of which commences from the feast of St. Michael the Archangel, last past. I hope your lordship is sensible of our indigency, which really occasions my being so troublesome to your lordship, though none can be more sensible of the obligations we all owe to your lordship than,

My Lord,

Your Lordship's most obliged, and Most humble servant,

DOM. ARMAGH.

[State Paper Office, Ireland.]

For the Rt. Hon. the Earl of Sunderland,  
President, etc."

Sunderland writes first July 13th, 1686, to the Lord Lieutenant of Ireland, that the King did intend to give these pensions, and will order the payments

Of this good bishop's life, from 1685 down to 1691, no particulars are recorded, save his holding ordinations frequently in the interval,

immediately; and again, August 21st, 1686, to explain the cause of delay—"it seems his Majesty forgot to speak to my Lord Treasurer for some days, as I found when I mentioned that matter again to him. The orders are now sent, and I doubt not but you will before this time have received them."

*"The Earl of Clarendon to the Earl of Rochester."*

"Chapelized, Sept. 6th, 1686.

"I omitted to answer the last paragraph of your letter concerning the Roman Catholic bishops. At the same time I received the King's letter for the payment of the money he designs to those bishops; which within an hour after I had it I communicated to the Roman Catholic Primate, who was very well pleased; and the next day ordered Mr. Price to pay the money to him. I think your letter to me is sufficient, and that I shall not need any further directions. I will be sure to observe the King's commands in having these monies paid out of the revenues of the vacant bishopricks in the manner you direct."—Page 576, *Correspondence* by Singer.

*"Lord Clarendon to the Lord Treasurer."*

"23rd September, 1686.

"On the 31st August I received the King's letter, dated the 24th of the same month, commanding me to give effectual warrants for the payment of £2,190 per annum, to the Roman Catholic Primate from time to time; which I accordingly did immediately, and the three quarters, due at midsummer last, was paid within three days after, but the person who received it refused to pay the vice-treasurer's fees, for which you know Mr. Price is accountable, and the auditors will charge it upon him. I desire therefore you will know the King's pleasure, whether that fee of sixpence in the pound shall be deducted from the said sum of £2,190, if not that you will send me authority to discharge Mr. Price, that is, that he may not be charged therewith, etc., etc."

How deserving the ministers of the Established Church were of rich incomes, and how poorly they were paid, may be inferred from other documents in the same correspondence.

*"Earl of Clarendon to the Archbishop of Canterbury."*

"Dublin Castle, May 25, 1686.

" . . . . MY LORD,

"I would not make any ill reflections upon wiser and greater men who have filled this place before me; but certainly it is impossible to help thinking there have been some great omissions somewhere, when I see the deplorable condition of the church affairs here throughout. *The ruinous state of the fabric of most churches is very melancholy; very few of the clergy reside on their cures, but employ pitiful curates, which necessitates the people to look after a Romish Priest, or Non-Conformist preacher; and there are plenty of both. I find it is an ordinary thing here for a minister to have five or six or more cures of souls, and to get them supplied by those who will do it cheapest; and by this means some hold 5, 6, nay £900 per annum in ecclesiastical preferments, get them all served for £150 per annum, and not preach once a year themselves.*"

attending the general meeting of the bishops in Dublin,\* and, what attracted much attention at the time, a visit of respect to Lord Clarendon, at Limerick.†

"The bishops," he adds, "could not account to him satisfactorily for this state of things. Some of themselves were much to blame. The archbishop of Tuam is now returning after three years of absence, and the bishop of Down and Connor has been absent from his charge for six years."—P. 408. The latter (Thomas Hackett) was afterwards deprived for simony and other offences.—P. 404.

—o—

\* "*The Earl of Clarendon to the Earl of Rochester.*

"Dublin Castle, May 18, 1686.

" . . . . I must not conclude this without giving you some further account of the great meeting. They did not assemble on Saturday but upon yesterday; and in the evening the titular Primate, with his brethren of Tuam and Cashel, made me a visit; and after the usual compliments, the primate told me he had sent for several of the bishops to come to town, and there were ten come besides himself. The chief business of calling them, he said, was in the first place to bring them to me, that I might see what kind of men they were; and, in the next place, to acquaint them with a letter he had received from my lord president, which he showed me. It was very short, dated the 27th of March; the substance of it was, that he was commanded to acquaint him (the primate) that it was his Majesty's pleasure that he and the rest of the bishops should wear their habit when they go abroad, all except the cross on the breast, which bishops wear beyond sea. He said he thought first to acquaint me with this, that I might not be surprised when I saw them so, and that I might know it was by his Majesty's pleasure. I asked him what habit they intended to wear. He told me long black cassocks and long cloaks. I know nothing I can say or do, but have patience and observe them, and I shall know what is handling amongst them."—P. 395.

—o—

"*Clarendon to Rochester.*

"May 22, 1686.

" . . . . The great meeting is now at an end. There were eleven bishops in town, who have all of them been with me. They came modestly in the evenings, two or three at one time, and as many at another; they came in ordinary clothes, such as they have always used to wear. They assured me they had no meeting of their other clergy; that all the bishops of their religion in the kingdom (and there is but one more in the world, who is in France) were called up to town to pay their duties to me, that I might know them and where they lived, in case I had anything to command them from the King. I am told by one, as a great secret, that they have a letter from the King declaring what allowance he intends to give every archbishop and every bishop; that it was two days debated whether they should acquaint me with this letter, but it was not yet resolved."—P. 403.

—o—

† "*The Earl of Clarendon to the Earl of Rochester.*

"Limerick, Sept. 23rd, 1686, Thursday.

"On Monday I left Cork. . . . I spent only yesterday here. . . . Among those Roman Catholics who have been with me here, was the Roman Catholic archbishop of Cashel, who has this morning made me a very civil

It may easily be supposed, therefore, that at this distance of time very little can be known for certain regarding him, since even his cotemporaries could hardly discover his place of abode.

At the negotiations which preceded the treaty of Limerick he took part,\* being one of the commissioners appointed to fix the terms which should be demanded; and after the shameful violation of that treaty, he still continued to discharge his sacred duties amongst the people, when almost all his brethren were driven into exile. Where he resided, however, was kept strictly secret. The Nuncio at Paris "supposed he was still in Ireland,"† and the archbishop of Tuam, who lived in that city, and had frequent communications with Ireland, "could hear no account at all of the archbishop of Cashel."‡

visit."—*The Correspondence of Clarendon and Rochester*, by S. W. Singer, vol. II. p. 6. London, 1828.

\* On the 25th (Sept. 1691) Lieut.-General Sheldon, the Lords Galmoy, Westmeath, Dillon, and Trimbleston, Maguire, the titular Primate, together with the titular *archbishop of Cashel*, Sir Theobald Butler, a lawyer, and several others, came from the horse camp, and dining with the general, went afterwards into town. . . . . On the 28th, early in the morning, Sarsfield, Wauchope, the titular Primate, Baron Purcell, of Loughmoe, *archbishop of Cashel*, Sir Garret Dillon, Sir Theobald Butler, and Colonel Browne; the three last lawyers, with several other officers and commissioners, attended the general, who sent for all the English general officers, and, after a long debate, articles were agreed on, though not then reduced to writing, not only for the town of Limerick, but for all the other forts and castles in the kingdom."—Harris's *Life of King William III.*, p. 349. Dublin, 1749.

See also the extract from the Nuncio's letter, p. 233, *sup.*; O'Connor's Military Memoirs of the Irish, p. 175; M'Mahon's Jus. Primatiale Armacanum, p. 21, who does not omit stating that the archbishop of Cashel acknowledged the superiority of Armagh at their meetings.

† Dec. 31, 1691. About this time there were six Irish bishops at St. Germain: Dominick, Armagh; James, Tuam; Dominick, Elphin; James, Kilaloe, and administrator of Limerick; Pierse, Cork and Cloyne; Gregory, Clonmacnois. See their joint petition, St. Germain, Feb. 18, 1692, to Innocent XII., describing the progress of religion in Ireland under the brief reign of James II., and the terrible persecution which the Catholics now suffer; and asking the Pope to assist their lawful king, to use his influence with foreign courts for liberty of conscience, and to give the petitioners pecuniary aid. They wrote again, Dec. 8th, 1692, acknowledging the receipt, on 24th Nov., of a bill of exchange for 300 crowns from secretary of Propaganda on the part of his Holiness and the congregation. This sum they divided equally, and now return their warm and respectful thanks. Signed by the said six bishops.—*Theiner MSS.*

‡ Letter of Dr. James Lynch, Paris, Oct. 28, 1692 (p. 233, *sup.*). "Of the archbishop of Cashel we can hear no account at all. The bishop of Ossory is *still alive*, and conceals himself in the cabins through the country, or in caverns, woods, and mountains." I had not of course an opportunity of consulting Dr. Brennan's letters, which, I know, are preserved in the Propaganda.



From the register of 1704 it appears certain that he remained in Ireland in 1691 and 1692.\* It was probably towards the end of the latter year that his death took place, as we find his successor nominated in August, 1693.]

### EDWARD COMERFORD.

[EDWARD COMERFORD, ordained at Rouen 1669 in the 27th year of his age,† a doctor of Sorbonne, and parish priest of the diocese of Cashel for upwards of twelve years, succeeded on the nomination of James II. August 15, 1693. His appointment was opposed by the bishop of Limerick, because it was unseemly, he said, that so young and untried a man, however learned and pious, should be chosen to preside over other prelates of more mature years and experience. The king's advisers were, he feared, influenced more by political considerations than by their regard for merit or the interests of the Church in their recommendations of some names lately to the Holy See, and especially in nominating Dr. Pierse to Waterford, and now Dr. Comerford to Cashel.

These objections, as might be expected, had great weight, and the consecration was accordingly deferred until strict enquiry should be made into the truth of the charges. In one of the replies then sent to Rome the bishop's motives are canvassed very freely, and his assertions examined seriatim, and with great ability.‡ The writer, who concealed his name, and whose statements are, therefore, to be received with caution, asserts that "Dr. Comerford is certainly above fifty years of age, and it is as certain that ye bishop of Corke,§ who had ye apostolical constitution in ye confessor's hand in ye presence of the bishop of Limerick, solicited his Majesty (as he did upon all other occasions) to name Dr. Comerford for ye see of Cashell, and therefore could not be displeased at ye said doctor's promotion to that archbishopric; but it is believed that it is displeasing to ye bishop of Limerick, who aimed at that dignity,

\* His latest ordination was held on 24th Sept., 1692. William Hurru, Ardfinane, Tipperary.

† By Andrew Lynch, bishop of Kilfenora. Register of 1704. We can have no absolute certainty that the priest thus named in the Register was our bishop, but so many circumstances agree, name, diocese, age, etc., that I regard their identity as proved beyond all reasonable doubt.

‡ AN ANSWER to the severall branches of the bishop of Limerickes replication to an answer made by the king to some objections offered in the court of Rome against the promotion of bishops in Ireland.—*Stuart Papers* in the Bodleian Library.

§ Dr. Pierse Creagh.

tho he had ye modesty not to declare his mind, knowing that it would be said that he being bishop of a diocese that he had not seen since preferred thereunto, could not expect to be named for ye further promotion. . . . Ye bishop of Limerick, in his reply, endeavours to reflect upon ye king, his lawfull and naturall prince, and labours to create a difference between his Holyness and him by starting unnecessarily and officiously a question about the nomination of ye bishops in Ireland, for no other reason, as it is verily believed, but that he was not named either for the see of Dublin\* or Cashell, or his kinsman named for the bishoprick of Killaloe; but he should consider he did not thinke there was any difficulty in this matter, when he was made bishop of Limerick at his Majesty's nomination, nor did he make the least dispute when Dr. Tyrill was made bishop of Meath, and Dr. Fallon bishop of Clonmacnois, at the king's nomination, etc., etc."†

\* To which Dr. Creagh was promoted.

† The precise extent of the powers granted to James II. by the Holy See to nominate to vacant bishoprics is involved in much obscurity. The following unpublished documents will serve to throw some light on the subject.

"MY LORD,

"I receave the favour of your lordships of the 3d August, which bringeth the good newse of your recovery of your late indisposition, as also the relation of your late victory in Flanders, which togeather with the others at sea on the convoys, etc., will I hope be a greate steppe towards his Majesty's speedy returne. In the interim I have discoursed at long with Monsr. le Breu, who is the French expeditioner, and a very understanding an honest person (as the bishop of Corke can well informe your lordship). He is absolutely of oppinion not to aske a Bulle confirmatory of his Majesty's nomination of bishops of Ireland, believing the presidents of now three Popes, granting them so, will be sufficient presidents to get the rest so also from time to time, least asking a confirmatory Bull, we might putt it in danger, or at least so pussell it in I know not what of theyr small eternall difficultys commonly used heare, that a remove and other inconvenients might happen, and for the denarys they will not graunte them; finally he sayeth it's best not to stirre in those nice points untell his Majesty be restored, then we may hope to gett as good a Concordate made with this court as France. Spaine, and the Empire hath, and if I be alive, I hope to doe my best endeavours in that as in all other concernes of his Majesty's and our religious service, although I was sorry to see that even few or none of our English churchmen have studieyed or had the practise of these things, much lesse the lay people, both of whome so very wrongly informed his Majesty thearein, and ordered them to write to blame me highly for having done only that which I ought for the service of both, but that imports no more then many other things for which I was blamed, although unheard, yett I thanke God I can clearly justifey my selfe in all, *coram Deo et hominibus*; but to our purpose of deans, if his Majesty desires to have any, I hope to gett such as he will please to signify unto me, of his liking, which in effect will be the same as of his nomination. As for abbots, friours, or some other titles

There is also extant a very interesting testimonial from Dominick Maguire in Dr. Comerford's favour, in which his zeal during a long stay on the English mission, and for the last twelve years in Ireland, his virtue and learning are highly commended; and the

it's thought they may produce gealosity and other inconveniencys not only in Protestants but severall Catholikes who are in pocation of those lands, etc. For thease and many other reasons it is absolutely necessary to have heare alwise an honest and skilfull expeditioner for the occurring affaires of his Majesty's subjects as I tould bishop Corke, who sayed he would carrey a coppey of the pattent which Monsr. le Breu hath for France that if his Majesty approve of it, such an other may be sent him for his Majesty's kingdomes; wheather I pray God send him and your lordship speedily, for the good of all his loyall subjects, and particarly your lordship's

"Most affectionate humble servant,

"C. OF NORFOLK."

Aug 25, 1693.

"1693, Sept. 22. *Rescript of Innocent XII. to King James II. about appointment of Irish bishops at the petition of the King.*—Extract.

"Adeo propensam erga majestatem tuam ob eximia merita quæ apud Catholicam religionem tibi comparasti, gerimus voluntatem, ut pro explorato habere possis jucundas majorem in modum eventuras nobis omnes quæ se offerent occasiones prædictam voluntatem præclaris documentis testatam faciendi. Quamobrem expediendis Bullis episcoporum quos ad regendas ecclesias Hiberniæ nominabimus peculiarem rationem habere non omittemus petitionis majestatis tuæ, cui interim prospera cuncta faustaque a Deo impense precamur: Datum Romæ apud S. M. Majorem, sub annulo Piscatoris, Die 22 Sept. 1693, Pontificatus nostri anno 3tio."

The usual form of royal petition is contained in a letter, St. Germain, Oct. 2, 1703, from James III. to the Pope.

"Cum nobis haud ita pridem innouerit, Alladensem diœcesim, vulgo Kil-lala, alias unitam diœcesi Acconesensi simul vacanti, vulgo Acconner, ab aliquo jam tempore Episcopo esse destitutam, muneris nostri esse duximus ut *dignissimis patris nostri olim et regis inhærentes vestigiis ad Beatitudinem vestram supremum et sollicitum universalis ecclesiæ pastorem supplici cum prece accederemus* quominus ille Christi pusillus grex suo diutius careat pastore. Quapropter cum omni debita reverentia Beatitudinem vestram *enixe rogamus ut ad nominationem nostram*, in prædicta diœcesi dignetur instituere Episcopum Rev. patrem fratrem Thadeum Franciscum O'Ruarke, ordinis frat. min. strictioris observantiæ in Provincia Hiberniæ, absolutis sacræ Theologiæ studiis, pluries Guardianum, et custodem ejusdem provinciæ, nunc ibidem commissarium visitatorem a Rev. Magistro Patre Generali, virum muneri episcopali, tam moribus quam doctrina omnino idoneum eoque majis honore dignum quod difficillimis hisce temporibus in vinea Christi constanter et impegre laboraverit, quod *et nobis et subditis nostris Catholicis illic degentibus gratissimum accedat.*" . . . . Quare hanc a Beatitudine vestra *gratiam expectantes* et apostolicam benedictionem supplicantes, etc.

"JACOBUS R."

primate expresses, in fine, a confident hope that the greatest good would result from the promotion of so devoted a priest.\*

Why the Holy See should have hesitated any further after this strong recommendation it is difficult to say, yet it seems certain that Dr. Comerford was not consecrated within the next two years. June 28, 1697, he wrote a long letter to the Pope, assuring his Holiness that he had taken the consecration oath, and made the profession of faith of Pius IV., and enclosing a certificate to this effect, signed by the bishop of Waterford, one of the assistant prelates, on behalf of Dr. Sleyne, of Cork, the consecrating bishop, who was unable from illness to subscribe himself in the usual form.† However rude and uncertain the means of communication between distant countries in those days, and however dangerous any intercourse with the Holy See may be supposed to be for an Irish bishop, it is still unlikely that Dr. Comerford could find no opportunity of sending this account to Rome within a few months of his consecration, and that the time when it took place preceded by a long interval the date of the report.

He wrote again, August 12, 1698, humbly acknowledging that he

\* "DOMINICUS Dei et apostolicæ sedis gratia archiepiscopus Armacanus, totius Hiberniæ primas, Regi magnæ Britanniæ a secretioribus consiliis etc. Universis has literas inspecturis in Dno. Salutem. Notum facimus et attestamus clarissimum virum magistrum Edvardum Commerford, diocesis Cassellensis in regno Hybernæ presbyterum, sacræ facultatis Parisiensis doctorem, electum ad archiepiscopatum Cassellensem, probatæ et inculpata vitæ, morum honestatis et conversationis ecclesiasticæ testimonio dignum esse, vitam laudabilem et professioni clericali consonam hactenus egisse et etiam nunc agere, in ecclesiasticis functionibus et exercitiis ordinum susceptorum diu versatum, potentem opere et sermone, in omnibus luculentissima pietatis, charitatis, prudentiæ, et scientiæ specimina dedisse, in missione Angliæ per multos annos strenue laborasse, et in Hybernia per duodecim circiter annos pastoris vigilantissimi munera laudabiliter adimplevisse,—tot tantisque meritis decoratum, et ob sanam et singularem suam doctrinam, egregiasque animi dotes, aliaque laudabilia probitatis et virtutum insignia, summopere ejus promotionem ad dictum archiepiscopatum exoptamus, et approbamus, ob fructum eximium nostro judicio et communi omnium spe ex promotione hujusmodi proventurum. Datum apud S. Germanum die 20 Septembris an. 1694.

"DOMINICUS, Archiepus Armacanus, totius Hiberniæ Primas."

† Provisus emisit professionem fidei coram episcopis Joanne Sleyne Corcagiensi provisi consecratore, et Richardo Pierce Waterfordiensi assistente, præsentibus nonnullis clericis et aliis. Ita attestor die ac loco supradictis Richardus, episcopus Waterfordiensi et Lismorensi, loco Joannis Corcagiensis et Cloynensis ægrotantis.—*Theiner MSS.*

The letter is dated "in ædibus refugii nostri," and concludes "in hujus rei fidem manum his apposui Edwardus Archiepiscopus Casseliensis et sigillo meo munivi.

"EDWARDUS COMERFORD."

owed his promotion not to personal merit, nor to the intercession of King or clergy, but solely to the Pope's own goodness; and promising never to abandon his flock whatever he may suffer in the discharge of his duty. All the church lands, he says, and other property, even the sacred vessels, have been seized or lost, and no dignitary has derived the least benefit from ecclesiastical revenues for the last sixty years, except for one year in the reign of James II. In some of the dioceses there is but one canon, in others two, in his own three, and he therefore prays he may be empowered, where there is no ordinary resident, to nominate to the vacant dignities through the province—every district of which he has visited since his consecration.

His Holiness granted the request, and desired the archbishop to furnish a list of the persons best qualified for the vacant offices, who should be appointed forthwith.

On receipt of this answer, Dr. Comerford suggested other important measures for the government of the church: he applied for the administration of Emly for himself, in which see, he says, as in Kilfenora, Ardfert, and Aghadoe, there was no bishop for forty years; and though he would not object to take charge of Kilfenora also, Ardfert and Aghadoe were too distant and too difficult of access; he should, therefore, name a fit person for this last see at the earliest opportunity.\*

Shortly after he recommended Æneas O'Lyne, P.P. of Kilcoleman,† who had the almost unanimous support of the clergy and gentry of the diocese, who had been named by the late vicar-general of Aghadoe when in prison in Cork gaol, and near his death, as the fittest person to succeed him, and whose appointment to that office was then confirmed by the late archbishop of Cashel (Dr. Brennan), who, in fine, by a Papal brief, had been made Vicar Apostolic of Kerry. The bishop of Waterford, it was true, induced him before this to sign a letter in favour of Denis Moriarty, but he regrets having done so, in ignorance of the strong feeling in Kerry, and relying too much on the bishop's recommendation. He is now satisfied that

\* Letter dated "in ædibus nostris," July 9, 1699. This letter would of itself suffice to refute the theory which makes John O'Connell, 'poet,' bishop of Kerry about 1700. I think there is the clearest intrinsic evidence to show that the 'poet' wrote before the Revolution which dethroned James. But whenever he flourished, he could not have been bishop of Kerry from the death of Richard O'Connell down to the accession of Denis Moriarty. This has been proved so fully and so often, that we deem it quite unnecessary to meet the arguments of some recent writers, who labour to throw doubt on the fact. It is enough to know that throughout the whole controversy between Drs. Pierse (a native of Kerry) and Moriarty on the one hand, and Drs. Comerford and Æneas O'Lyne on the other, it is often expressly stated as here, that the see of Ardfert and Aghadoe was vacant for nearly half a century before the appointment of Denis Moriarty.

† Better known now as the parish of Milltown.

Denis Moriarty, although still warmly supported by the same bishop of Waterford, and even by the Queen, should not be promoted to a higher dignity. This protest either had not the desired effect in Rome, or what is more likely, Dr. Moriarty's Bulls were already expedited, as he was shortly after consecrated bishop of Kerry.

In the Life of Dr. H. M'Mahon (p. 86, of these *Memoirs*), the state to which the Irish Catholics were reduced on the accession of William and Mary, and the sufferings of their clergy for nearly a century after, have been fully described. It is only necessary to allude now to those peculiar circumstances, in which Dr. Comerford was placed almost from the very beginning of his missionary labours, which serve to illustrate his personal history. A memorial was presented in his behalf to the Nuncio at Paris about 1702, giving a minute detail of his privations. It states that he had served more than twenty years on the Irish mission in a country parish, where he depended on the charity of the poor for his only means of support; that even this resource must soon fail, because laws lately enacted offer £100 reward for apprehending or informing against an archbishop; and as he is the only archbishop still resident, spies will pursue him so eagerly that he must retire to some distant place, and live concealed and unknown.\*

The memorialist, an Irish priest residing in Paris, further prays the Nuncio to lay this statement before the Pope, and obtain his charitable aid "for a prelate who sacrifices himself for the good of religion—whom neither chains, whose rigours he has already felt, nor the fear of living an outcast and a wanderer, nor the hope of finding refuge abroad, nor even the terrors of death, with which he has been often menaced, could ever induce to desert the flock committed to his care."†

Although no record of the fact remains, we cannot doubt of the immediate success of this petition; for we know that Dr. Comerford, before this time and after, experienced the kindness of the Popes, and like other Irish prelates, was probably a regular pensioner on their bounty. In the preceding year 100 Roman coins (nummi) had been sent him through the Nuncio at Brussels; and some time afterwards he thanks Clement XI. for warmly recommending him to the general assembly of the French clergy, and acknowledges the receipt of the same amount (100 nummi) from their president Cardinal Noailles.‡ The Popes, it is also well known, sent annual

\* Oct. 15, 1701. Dr. Comerford tells secretary of Propaganda there were only three or four bishops still in Ireland. These were Dr. Comerford himself ('etoit fort age'), Dr. Donnelly, of Dromore ('etoit en prison'), and, perhaps, the bishop of Clonfert.—Pichot 197.

† Feb. 6, 1702. The Nuncio apologizes to Cardinal Spada for transmitting a copy of this memorial.—*Theiner MSS.*

‡ *Theiner MSS.*

remittances to the court of St. Germain for the relief of exiles, particularly the Irish. On the 15th July, 1698, Innocent XII. remitted 23,655 livres for the use of the banished Irish religious, and a grant of 72,000 francs a year was regularly supplied from the Papal treasury for the Irish secular clergy and laity. The Nuncios in the several foreign courts got instructions to aid and protect the Irish exiles who should apply to them; the faithful were commanded to subscribe liberally for the same purpose, and indulgences granted to those who would attend public processions, visit churches, and pray for the necessities of Catholic Ireland.† In truth, some provision of the kind must have been then made by the Holy See for the ministers of religion in this country, or else, humanly speaking, they would have died out within a few years—the very object at which the government aimed in all their legislation. The blessings of faith were thus transmitted to us, by the Popes, not only as the successors of Peter, but as sovereigns of Rome; and when an opportunity is given Catholic Ireland of making them some return, it would be strange indeed, if she did not gratefully remember the services rendered in her hour of distress.

In the documents to which I am most indebted for the history of our bishops for the thirty years that followed the Revolution, I can find no notice of Dr. Comerford's decease.‡ Dr. Burke tells us merely, though his words have been taken to imply a great deal more, that he was the immediate predecessor of Dr. C. Butler.§ The constitutions of Cashel are also silent on this head; and other authorities which place his death in 1711 or 1712, do so, it is plain, conjecturing from the time of Dr. Butler's accession, without further evidence.¶]

\* Letters dated Oct. 15, 1701, *no place*; and Dec. 4, 1705, *Thurlesia*.

† See one letter of Innocent XII. to the Irish bishops, June 10, 1698, with the reply, signed by the primate and others, Paris, July 21, 1698; and another, Feb. 20, 1699, granting indulgences to all of Italy, etc.—*Theiner MSS.*

‡ Extracts from *Theiner MSS.*

§ Hib. Dom. p. 819.—“Consecratus die 18 Oct. 1712, recensitæ archdiœcesis Metropolitanus, in locum D. Edwardi Comerford, *ultimi, dum viveret*, archiepiscopi”—interpreted as if Dr. Comerford was *still living* when Dr. Butler was consecrated in his place—a contradiction rarely to be met with in the *Hib. Dom.* The writer may have intended to show by the phrase “*ultimi dum viveret*,” which is perhaps a superfluous form merely, that however long the interval, Dr. Comerford was the last archbishop *while living*.

¶ In one of the lists by L. F. R. it is 1712; in another 1705.

## CHRISTOPHER BUTLER.

[CHRISTOPHER BUTLER, the next archbishop, was son of Walter Butler, of Kilcash—nephew of James, the celebrated duke of Ormond. His mother was Lady Mary Plunkett, only daughter of the second earl of Fingall.\*

Christopher was born in the paternal mansion at Garryricken, County Kilkenny, Jan. 18, 1673, and had by primogeniture the right of succession to the duke of Ormond's estates, and the earldom of Arran, which he resigned to a younger brother in order to devote himself to the service of God in the ecclesiastical state.† In youth his mild and retiring habits won the esteem of all, and his kindness and charity to the poor and suffering members of Christ, were often spoken of in after life as heavenly indications of a call to a state where he found a wider sphere for the exercise of these virtues.

It is an old tradition, generally credited soon after his own time, but for which I could find no other evidence, that Dr. Butler received his first instructions at a public school in England, where he distinguished himself by talent and love of study, having been often chosen, we are told, to take the first part at the academical exercises as the most graceful and accomplished of his compeers.‡ He proceeded at an early age to the Continent, and after completing the usual theological course in the Sorbonne was admitted doctor of Divinity and of Canon Law.

Dr. Butler was ordained a priest for the diocese of Ossory (when precisely I have not been able to ascertain), and consecrated archbishop of Cashel by his Eminence Ferdinand de Adda, Cardinal of St. Clement's, at Rome, Oct. 18, 1712. "He presided over the archiepiscopal see of Cashel for a period of forty-five years, on which he conferred many benefits by his sound teaching and exemplary life, being remarkable for humility, meekness, and other virtues, whereby he may be said to preach constantly to the people—a prelate, in a word, who for learning and virtue, might justly be compared to the bishops of the golden age of the church."§

"He governed extremely well for forty-five years; and when old and infirm, at his own request, he had Dr. J. Butler, of the Dunboyne family, named by the Pope for his coadjutor. He died as he lived in the opinion of sanctity in the 84th year of his age, on the 4th of Sept., and was buried in the family tomb at Kilcash, Sept. 6, 1757."||

\* Hib. Dom. p. 268.

† This statement is made on the authority of White. According to Lodge (Archdall's vol. iv. p. 41,) Christopher was the youngest of the three sons; Thomas, who succeeded his father, the first born; and John, of Garryricken, the second. The "Psalter of Cashel Magazine" (*inf.*) makes him the *fourth* son.

‡ "Psalter of Cashel Magazine," p. 13; and the "Funeral Oration," by Father Hogan.

§ Hib. Dom. 819.

|| White's MS.



In his days the native seminaries of Ireland having been long proscribed, the young candidates for the ministry were obliged to go to foreign colleges for their education. But as it happened that these youths embraced the medical or other profession, or entered the army, the Catholics at home became gradually more and more reluctant to bear the expenses of the sons of less wealthy families unless the young men were ordained priests before they left Ireland. On the other hand it seemed a dangerous experiment to bind by perpetual vows those who had made no trial of themselves, and given no proof of their fitness for the priesthood. A yoke, too heavy for them, might be imposed with their consent indeed, but without a full knowledge of their obligations. Dr. Butler was therefore induced to adopt other means of meeting this difficulty. "To restore to some extent at least the old seminaries, and to send as many labourers as possible, having regard to the critical circumstances in which the country was placed, into the vineyard, and moved thereto no doubt by the grace of God, he established a seminary about forty years ago for the benefit of ecclesiastical students of his own diocese, over which he himself presided by word and example during his life time. This institution brought forth the choicest fruits. A large number of ecclesiastics, distinguished for piety and learning, were thus ordained, and for many years past the priests educated at Cashel were called saints by the people. Indeed it is manifest that the archbishop ascribed many of the evils which widely prevailed to the want of vigilance in guarding the entrance to the church from the intrusion of unworthy pastors. Hence watching always with the greatest care over the interests of this little seminary, he entrusted the charge and government of it to the Very Rev. Edward Saul, doctor of Canon and Civil law, and P.P. of Cashel; after his death to the Very Rev. Philip Meagher, D.D., of the theological faculty, Paris, and P.P. of Fethard; and after his death again to Very Rev. John Ryan, P.P. of Loughmore. When the young men presented themselves from time to time, the superiors, above named, examined them, gave them suitable instructions, and then made their report to the archbishop."\*

\* Ut pristinam seminariorum formam utcumque restitueret, utque pro messe multa tot haberentur operarii quot per temporum rerumque angustias liceret, divina hand dubie inspirante gratia, seminarium seu quasi seminarium ante annos 40 in usum filiorum suorum ordines ambientium, in dictis dioecesibus instituit, verbo et exemplo durante suo prælato præfuit, Christo semper fructificans, atque varios ordinavit, qui venerunt, insignes pietate et doctrina, ita ut ubique a multis annis Cassilienses SANCTI dicantur. Evidentia perspicuum est dictum archiepiscopum considerasse mala agminatim irrepsisse in ecclesiam ex eo quod ejus ostium non rite custodiatur, et ex constanti sua vigilantia dicti seminarii curam et regimen demandavit Rev. Admodum Edwardo

Such is the account given of this petit seminaire, or rather preparatory school, established by Dr. C. Butler, in the first year of his episcopacy, written by, I should think, his successor in the year 1752, and transcribed by Nicholas Morris. The young students, as far as I could judge, did not live with their masters, but were under the special care of the president and archbishop, and their houses of residence subject to inspection at all times. This was certainly the case under Dr. James I., as is clear from his pastorals, when the candidates came together only on examination days to be instructed in Christian doctrine, practices of piety, and the usual rudiments preparatory to a college course.

Dr. Butler's labour to promote piety and learning amongst his clergy was not limited to the time spent in these seminaries; it extended to their whole lives, and regulated their whole conduct. From time to time he wrote beautiful pastorals, in which he explained minutely their several duties at the altar, the pulpit, the confessional, the administration of the sacraments. The longest and most interesting of these, entitled the *PSALTER of CASHIEL*, addressed to the clergy of Cashel and Emly, and clearly intended for them exclusively, being in fact a short treatise on the obligations of a pastor of souls, consists of about sixty closely written small 4to. pages. It contains rules for the guidance of priests in almost every act as ministers of religion and as members of society.

I. It treats first generally of the necessity of faith and good works, of the Creed of Pius IV., the Bull *UNIGENITUS*, and those who are bound to subscribe them.

II. Of the sanctity of the priestly state, arising from the sublimity and importance of the heavenly functions performed—1° at God's altar; 2° in the tribunal of penance; 3° the choir for praises and prayer; 4° the chair of truth. The greater virtue required of a priest on account of his ministry at the altar is enforced thus:—\*

“In the first place what can equal the dignity and authority with which we are invested at God's altar, where we offer the selfsame

Saul, U.J.D. et pastori de Cashill, et post ejus obitum Rev. Adm. Philippo Meagher, S. Facult. Paris. Doct. Theol. et Pastori de Fethard, et post ejus in Domino de hac vita exitum, dictam curam commisisse, Rev. Adm. Joanni Ryan, S. Facult. Burdigalensis Theologo, et Pastori de Loughmore. Dicti officiales singulos ad examinationes accedentes pro re nata examinaverunt, et instruxerunt, et necessaria inde principali retulerunt.

\* The extract is taken from a copy made by John Meagher—In usum D.D., J.B. (James Butler I.) anno Domini 1751 die 15 Julii: collated by L.F.R., Feb. 1, 1840. All the pastorals are full of wise maxims, solid and pious. Our limits preclude the possibility of anything more than a brief notice of their contents, and a few extracts. In Appendix C will be found the statutes written in Latin by Dr. Butler. His letter on the Bull *Unigenitus*, given in the Hib. Dom. p. 819, is the only one of his writings hitherto published that we know of.

sacrifice which the Son of God offered upon mount Calvary, work the same miracles He did at His last supper, and are joint mediators with Him for the expiation of the sins of the world: being raised to so elevated a state, made sharers in some sort of God's omnipotence, and placed so near the throne of His glory, with what seraphic brightness ought not our souls to shine? With what rays of purity and innocence ought not our bodies to glitter and to sparkle? How clean should those hands be, that are suffered to touch and manage the virginal flesh of God's only begotten Son? How pure should those lips be so often moistened with His precious blood? How well guarded the mouth and tongue on which the Holy of Holies is so frequently lodged? How chaste and modest those eyes, which have each day so close and neighbouring a view of Him, whom many kings and prophets coveted to behold—*Luc. x. 23*; and on whom the angels gaze with horror and amaze?

"These are reflections borrowed from the great S. Chrysostom, who is always in ecstasies on this subject: '*Cogita*,' says he, '*qualis sis insignitus honore, quali mensa fruaris, quod angeli videntes horrescunt nec intueri valent propter micantem inde splendorem, hoc nos pascimur, huic nos unimur, et facti sumus unum Christi corpus et una caro.*' The learned fathers of Trent have in like energetic terms expressed their veneration and respect for this glorious sacrifice, and their ardent desire is, that its ministers may be holy and unspotted: '*nullum aliud opus adeo sanctum ac divinum a Christi fidelibus tractari potest quam hoc ipsum tremendum mysterium quo vivifica illa hostia, qua Deo Patri reconciliati sumus, in altari per sacerdotes quotidie immolatur: qua propter satis apparet omnem operam, diligentiam, in eo ponendam esse ut quanta maxima fieri potest interioris cordis munditia et puritate peragatur.*' After these words, which are taken out of their 22nd Session, they order and exact that every rubric and ceremony prescribed by the church for the decent celebration of this august sacrifice are to be religiously and scrupulously observed, and thunder out anathemas against every one, of what dignity soever, who shall presume to change or innovate any of the ancient rites and ceremonies with which it is accustomed to be celebrated. This is an advertisement that challenges our greatest regard and attention, and we hope it will make so deep an impression on those to whom we are writing, that far from incurring God's anger and church censures by any omission or commission in this weighty office, they will merit new graces and blessings by their docility and obedience, and perform every previous concomitant, and subsequent ceremony of this tremendous sacrifice with so great exactness, piety, and gravity, as will inflame their hearers with true devotion, and imprint in their hearts due sentiments of awe and veneration for this heavenly mystery; the which, as St. Bonaventure says, contains as many miracles as there are stars in the firmament, atoms in the sun, or drops of water in the

ocean, miracles more amazing by far than the changing of sticks into serpents, rocks into streams of water, or water into wine. In short, no tongue of man or angel is able to recount them, or say anything more to the purpose than the royal prophet has done in these few words: '*Memoriam fecit mirabilium suorum, escam dedit timentibus se.*'—*Psal.* cx. 4-5. He has made this sacrifice the memorial and abridgment of all his wonderful works, and in it given to mankind the most precious of all gifts, and the greatest pledge of his infinite love that God himself was able to invent. Since it surpasses human capacity to say anything worthy of it, we are to put our hands to our mouth and to make it the subject of our silent meditation, the which if we seriously did for some time, there would appear in us other guess marks of a lively faith and tender devotion than are now to be discerned; the bread of angels, which now lies before us like common bread, would then become all radiant and dazzling to our sight. We should cease being, as we now are, like monumental busts or statues, in presence of Him before whom the cherubims tremble, and hide their faces. We will deserve the rebuke which was given to the Scribes and Pharisees by John the Baptist, '*Medius vestrum stetit quem vos nescitis.*'—*Joannes*, i. 26.

"We are close to a flaming furnace and feel no warmth; we have the true manna at our tables, yet hunger and thirst for the gross diet of Egypt, and the waters of Babylon. This will be our unhappy state till we become men of prayer and contemplation—till we learn to join the better part of Mary to that of Martha, and make the *unum necessarium* our sole and principal view and business—*Luc.* x. 42; when we are thus happily changed into new men, our holy character will be treated with the respect and veneration it deserves, and be no more vilified and run down, as it now is, by our tepidity, negligence, and indevotion at the most sacred and solemn of all our functions; for who can choose but be scandalized and almost stagger in his belief, when he beholds some of us parting, perhaps, from the market place, from idle company and conversation into a church or chapel, and then hurrying on the sacred vestments to mount the altar, without the least sign of recollection or preparation? Who can think that our faith is strong, and our religion sound, who sees us a few moments after throwing off those same holy robes, gazing and chatting with this and that other body, and then like persons tired of a heavy task, hasting away without any tolerable space of time allowed to acts of thanksgiving or adoration of the heavenly guest we still have under our roof? What can be more provoking than such treatment given to the Deity by a slave raised from nothing to the highest honours? We should blush to be guilty of any thing so contemptuous towards an earthly prince or lord who had seated us at his table, and filled us with corruptible meats.

"Let us then resolve from this time forward to put no such

affronts upon Him, from whom all that is valuable in the order of nature, the order of grace and glory, is derived; but approach Him with fear and trembling as our judge, with amaze and astonishment as our God, with love and confidence as our merciful Father, Saviour, and Redeemer. Let us never omit a due and serious preparation before, and a constant thanksgiving after, so inestimable a favour. As we are not to give scandal by over great hurry and haste, so we are not to tire their patience by over tediousness, yet we are to be scrupulously exact in pronouncing distinctly and articulately every apex and iota of the sacred canon, not trusting to our memories for fear of slipping over any one tittle of what is so very precious and venerable. It is plain, from what we have said, even in this rude and disorderly manner, that for performing worthily functions so sacred and sublime at God's altar, priests ought to be gifted with an uncommon virtue and holiness."

The other arguments from the duties of confession are then put forth in order, after which the clergy are warned against abusing the holy Scripture by profane jests, and exhorted to its constant and pious perusal in these words:—

"We are not to pass over another important injunction given by the same council to us pastors, (Sess. 4th, decret. de Can. Scripturis), which is to curb and check with our utmost efforts, the rashness and irreligion of those who pervert, misconstrue, or misapply the sacred texts and words of holy writ, and make free with them upon every idle and frivolous subject: next to the venerable body and blood of Christ, we have nothing upon earth so deserving of respect as those volumes, sent from heaven like so many letters from God to His creatures; they are an eye to the blind, a leg to the lame, a hand to the maimed, and certain antidotes and remedies for all the distempers of the soul:—*'Mille clypei pendent ex ea, omnis armatura fortium'*—Cant. iv. 4. They are the best arsenal churchmen can have recourse to for finding offensive and defensive arms against all their visible and invisible enemies, with an inexhaustible treasure of good documents and instructions for the flock committed to their care: as St. Paul writes to Timothy—*'Omnis Scriptura divinitus inspirata utilis est ad docendum, ad arguendum, ad corripiendum in justitia; ut perfectus sit homo Dei ad omne opus bonum instructus'*—II. Tim. iii. 16. These great advantages will, we hope, incite all our clergy to enter into a close familiarity with books so profitable, in so much, that every day of their lives they will attentively read and meditate upon some part of them—the New Testament especially, a chapter of which 'tis the practice of many holy persons to read on their bare knees once in every twenty-four hours, which certainly is a custom worthy of imitation. Did we ourselves show this tender respect for the Word of God, we should not endure to see it ill treated or profaned by others, but should be in the same agonies holy David was in when he saw it forgotten or

abused—‘*Tabescere me fecit zelus meus quia obliti sunt verba tua inimici mei, defectio tenuit me pro peccatoribus derelinentibus legem tuam.*’—Psal. cxviii. 139, 53. We need no more than to have copied out the whole divine psalm where these texts are, for making the best panegyrics on God’s Word; no one but such a lover and admirer of it as he, was capable of expressing himself in the flaming words that follow:—‘*Bonum mihi lex oris tui, super millia auri et argenti*’ (72). ‘*Quomodo dilexi legem tuam Domine? tota die meditatio mea est*’ (97). ‘*Quam dulcia faucibus meis eloquia tua super mel ori meo*’ (103)!

“A hundred such fiery darts he launches out in the same psalm, which makes our morning exercise. If we were as attentive to them as we ought, our hearts would glow as his did, and be filled with love and admiration of the oracles of Scripture, and we should run more greedily to feast upon them than we do when most hungry to our corporal food; that would prove a most efficacious means for acquiring true sanctity, and other virtues, so necessary for the worthy performance of the many divine functions that belong to our ministry.”

With the advantages of the study of holy writ are contrasted the evils that flow, especially to youth of both sexes, from light reading, an abuse which pious and vigilant pastors are warned to denounce in season and out of season as the worst snare of the devil, as the surest incentive to vice.

After describing the virtues becoming the priestly character, the archbishop points out the irregular habits to which priests are exposed—avarice, intemperance, disobedience, disunion between seculars and regulars, scandal to erring brethren, and other abuses which admittedly did not prevail among the devoted clergy of Cashiel and Emly, but may spring up amongst them in more favourable circumstances. At present, poverty and tribulations are “the peculiar portion of the clergy of this unhappy nation, and most particularly of the parish priests of those starved dioceses, who are known to be more indigent and poorer than any others, yet not poorer than the blessed Apostles, and most other saints, nor than Jesus Christ himself, who had neither house, nor home, nor ‘ubi caput reclinet.’—*Luc. ix. 58.* We ought then rather glory than be dispirited by this our poverty, which entitles us to immense rewards, and forms a resemblance between us and the model of all the predestined. ‘*Conformes fieri imaginis filii sui.*’—*Rom. viii. 29.* Such a poverty, borne with cheerfulness and resignation, far from scandalising, does highly edify and astonish the adversaries of our faith, who cant choose but be amazed to see our Romanish pastors (as they term them) performing with alacrity the most laborious and mortifying functions, in the service of the most miserable of all slaves, by night and by day, in cold and hunger, in danger of rivers, in danger of boggy roads, in danger of precipices and wildernesses,

and in danger of every kind; and all that without hopes of any temporal rewards by the year, but such as one would blush to mention, scarce enough to keep life and soul together, and shelter them from the injuries of the air. We may well say that '*Digitus Dei est hic.*'—*Exod.* viii. 19. Let our very enemies be their judges, they cant avoid owning that it has something more than nature in it. '*Et inimici nostri sunt iudices.*'—*Deut.* xxxii. 31."

The other subjects treated in the PSALTER OF CASHEL are the necessity of priests being in the state of grace when administering the sacraments, the discreet manner of meeting and saluting females, abuses at wakes, requiem Masses for deceased bishops and priests, and offices for the dead generally.

II. Besides the above work Dr. Butler wrote Pastoral Instructions on Penance, 31 pages, dated Sept. 8, 1737; III. On Preaching, 23 pages, Aug. 15, 1737; IV. On Matrimony, 23 pages, same year; V. Instructions in Latin on teaching the necessary articles of Faith, and on Fasting, Feb. 15, 1741; VI. Diocesan Statutes, in Latin, also 12 pages, April 7, 1737; VII. Letter to Pope Clement XI. on the Bull UNIGENTRUS,\* almost all subscribed with the usual signature, "Christophorus Cass. Archiepus. et Administ. Imilicensis.†

Of these the rules for fasting deserve the reader's particular attention, as showing how much we have degenerated in little more than a century from the strict discipline of our fathers. The temporary relaxation spoken of by Dr. Butler is worthy also of notice, on account of the controversy it is said to have occasioned in Rome.

The following is a literal translation from the pastoral:—

"Since it is well known that very many of both sexes, without any necessity or dispensation, in the holy season of Lent, as well as other times set apart for fasting, violate the law by the use of forbidden meats, or by taking two full meals the same day, we beg and entreat our fellow-labourers in the Lord to use all their exertions to root out this crime and grievous scandal, by denying sacramental absolution to all who persevere in this condemned practice, and will not be corrected. Let, therefore, all know, both rich and poor, that they are bound strictly by the law of mother church to abstain altogether from meat and eggs on every fast day; and that they are not allowed, except once in the day, to use whitemeats—that is to say, butter, cheese, milk, and the like, which mother church, yielding to the hardness of men's hearts in those days, has permitted. At the collation the use of whitemeats is strictly forbidden, and whatever food is supplied must be taken in the smallest possible quantity, as regards eating and drinking. Let all beware against appearing scrupulous as to the quality only and not the quantity of food. The

\* Hib. Dom., p. 819. Brennan, E. H., vol. II., p. 302, translates not very faithfully the introduction.

† Cf. p. 257 *sup.*—Nos. V. and VI. are inserted in Appendix C.

use of eggs is forbidden during the approaching Lent, the grounds for dispensation in preceding years having now ceased to exist through the divine mercy." These grounds were the scarcity, rather the famine that prevailed the two preceding years. On Dec. 23, 1739, commenced an excessively severe frost; it lasted six weeks; so that the heaviest carriages passed on the ice of the Shannon. All the potatoes were lost in the ground; provisions, before very cheap, became scarce, and sold at an exorbitant price. "The people of Ireland would have died but for the supply of corn from foreign markets:—For there was scarcely any tillage but that of the potato up to that time, and for at least twenty years after. A great mortality followed this distress. A scarcity of seed caused provisions to be very high also in 1740 and '1; and in 1741 a most desolating fever swept away the people by thousands—it seemed rather a plague than a fever; and the very climate seems to be altered, so wet were the summers for many years after. In consequence of the unparalleled scarcity of food, and to enable the rich to feed the poor, the Irish bishops, and, no doubt, Dr. Butler, gave leave to eat meat, at one meal, four days in each week, in the Lent of 1740-1, except the first and last week. They also commanded that the meat should be boiled, that the poor might have the broth. This well-timed and necessary indulgence was reported to the Holy See, and misinterpreted, which gave occasion to the two Bulls of Benedict XIV., dated May 30, and August 22, 1741, on the subject of the fast of Lent. They are addressed to the patriarchs and prelates of the Catholic Church, and detail the advantages of Lent, and the abuses that were arising."\*

White, who has left us this account, must have been an eye-witness of the evils that flowed from this dreadful calamity. These evils were much heightened by the cruel and intolerant measures adopted by government in the following years.

In 1743-4 news reached England that Prince Charles Edward had fitted out an armament at Dunkirk, under Marshal Count Saxe, for the invasion of Great Britain, and reports were circulated that within a few months, on a day named, the Catholics had resolved to massacre all the Protestants in their houses. Anonymous and malicious libels, purposely dropped in the highways, were quoted as decisive proof of the treasonable project; the guards of the castle were doubled; a savage proclamation issued against the Catholic clergy, and a close search made for bishops and priests in the provincial cities—Limerick, Cashel, Cork—and in Dublin some religious were

\* White's MS.—See the Bullarium of Benedict XIV. (3 vols. fol. Romæ. 1746, tom. ii. pp. 49 and 65,) for the Constitutions themselves, which complain of the abuse as *universally prevalent*, and make no mention of Ireland. No one would affirm that the Holy See could be deceived with regard to a fact said to be known throughout the entire church.



seized at the altar and cast into prison, though it was publicly known that the hostile fleet had been already scattered and destroyed in a storm. No motive whatever could be assigned for this wanton and unprovoked attack, as the Irish Catholics had at the time—and for the half century preceding—no idea and no means of resistance. During this trial many priests and bishops fled to the populous towns, where they hoped to escape detection. Dr. Butler, like his predecessor, sought shelter among his flock, and lived from house to house without a dwelling of his own. The reverence due to his person and character, which even Protestant officials could not but respect, together with the influence of his family, saved him from arrest and outrage.

After the appointment of a coadjutor in 1750, Dr. Butler avoided as much as possible interfering in important ecclesiastical affairs; he left the administration of the diocese almost entirely in the hands of the newly elected bishop. When the Rev. Mr. Scanlan, P.P. of St. Munchin's, Limerick, appealed in 1754-5 against the decision of his superior, Dr. Lacy, the meek archbishop tried every means to put an end to the unhappy controversy, and delayed proceedings again and again, in the hope that the appellant would confess his guilt and submit to the authority of the bishop. But Scanlan complained of this very delay, and appealed to the primate first, then to the nuncio at Brussels, and finally to a congregation of bishops and regulars at Rome. More than once the archbishop himself, or his delegates, Dr. Madjet, bishop of Kerry, and the Rev. John Hynes, P.P. of Cullen, cited the offender before them, but he found new pretexts for putting off the enquiry, and while appealing from one tribunal to another, denied the authority of each in succession. The archbishop of Cashel should interfere no further, he said, because the case had been referred to the primate, and the nuncio's letter (August 4, 1736,)\* made it very doubtful whether the primate should

\* "Illustrissime ac reverendissime Domine. Nescio quo fato acciderit literas Illustrimæ. D. T. die 27 mensis Junii datas excellentissimo D. Valenti Gonzaga qui jam a die 19 Martii Bruxellis discesserat, ad manus meas tam sero pervenisse quando tres posteriores literas ejusdem illustrissimæ D. T. de mense Julii signatas prius acceperam. Nil miror quod Illustrissimus ac Reverendissimus archiepiscopus Armacanus nullatenus de sua primatiali jurisdictione dubitans libellos appellationum accipiat, et suo nomine judices deleget; mihi tamen videtur quod pendente hac inter ipsum primatem et ceteros regni episcopos conflictione possent illi (quotiescunque casus acciderit quod a sententia ordinariorum appellatio interjiciatur ad Primatem) provocare ad hoc supremum Apostolicæ nunciaturæ tribunal. Nostrum enim tunc erit hujusmodi causas ad nos singulis vicibus advocare, et sine præjudicio ambarum partium judices delegatos nostro nomine committere. In hunc vero finem necesse foret quod quilibet ordinarius nobis notulam exhiberet illorum virorum qui in suis respective diocesibus et doctrina et prudentia præclariores sint, et magis idonei ad causarum cognitionem assumendam. Hac siquidem methodo donec

receive the appeal at all. At length the nuncio delegated the archbishop of Cashel to examine the whole cause.

Dr. Butler met Scanlan at Hospital on the 25th August, 1756, whither he had been summoned to answer the charges against him, or to submit at once to the bishop's censures. But the only defence he made was a written protest against Dr. Lacy's authority, with a request that it should be forwarded immediately to the nuncio at Brussels. Dr. Butler's delicate health made it necessary then to commit the further hearing of the case to his coadjutor, who decided finally that the appeal to the nuncio was informal, that Dr. Lacy's censures were just and necessary, and Scanlan's resistance unwarranted and schismatical. In the Life of Dr. Lacy will be found fuller details of this unhappy dispute, which embittered the last days of the meek Christopher Butler.

His funeral panegyric was pronounced by Father J. Hogan, O.M., and published afterwards.\* In the "Psalter of Cashel Magazine"† is given "a Memoir of the Most Rev. Christopher Butler, R.C. archbishop of Cashel and Emly (extracted from his funeral oration)," with a Latin elegy written, it is said, by Rev. J. Mannin of Kille-naule, the personal friend of the archbishop.]

in urbe præsens circa jus primatiale diu pendens controversia ultimetur, nec poterit Primas de læsa sua jurisdictione conqueri, nec cogentur episcopi revocationes suarum sententiarum tam facile in contumaciam pati. Utinam priores literæ illustrissimæ ac reverendissimæ D. T. quas postremo accepi, citius ad me pervenissent, citius enim et ego ad urbem totam seriem litis ortæ inter religiosos SS. Dominici et Francisci ex una, et P.P. Eremitas S. Augustini ex altera parte (quod heri tantum exequi potui) remissem; quoniam cum directe ad Sanctitatem suam provocatum fuerit, mihi nullatenus licet manus apponere.

"Quæ circa R. Dermitium O'Brien plurimum me turbant, idque eo majis, quia quo me vertam nescio, ut condignum ingravescenti morbo remedium adferam; difficile enim mihi persuasum habes, posse hodie ætate propectum sacerdotem, qui a pluribus annis, conniventibus saltem superioribus, pastoralia munia obiit, induci, ut ad universitatem aliquam se conferat, ibique studiis incumbat.

"De his quæ excellentissimo D. Valenti lingua Gallica, mihi vero vernacula lingua significavit illustrissima ac reverendissima D. T. serio et lato calamo scripsi heri tum C.Y. tum Em. Leg. et ubi responsa advenerint ea communicabo illustrissimæ ac reverendissimæ Dominationi tuæ, ad cujus obsequium me paratum scias, qui singulari cum veneratione

"Illusmæ. ac Revmæ. D. T. Humillimus ac Obsequentissimus famulus.

"F. EG. GODDARD, ADM. APOSTOLICUS.

"Subscribor Bruxellis, Aug. 4, 1736. Ilmo. ac Revmo. Cornelio O'Keeffe Ep. Limericensi."

\* Much praised by Dr. Burke, *Hib. Dom.* p. 818. Only one copy of this 'Funeral Oration' has been sold in Dublin for many years.

† Printed by John Connor, Patrick-street, Cork, 1814. The 'Elegy' consists of seventy-two lines, but throws no light whatever on Dr. Butler's personal history, and is otherwise of very little merit. See also Dr. Bray's *Constitutions*.

## DR. JAMES BUTLER I.

DR. JAMES BUTLER I. was, I suspect, P.P. of Fethard after or before his consecration, and also before it V.G. in Emly. He was consecrated in May, 1750, Epūs Troanensis (Troasensis-Statutes, Troacensis—White's MS.) and coadjutor of Cashel by Dr. C. Butler, who immediately invested him with all his powers, and left to him the whole administration. That same year, after the example of his predecessor, he appointed diocesan examiners for candidates for orders and for jurisdiction. The following rules were prescribed on the manner of conducting the examinations. Young candidates were to give in writing to Rev. Michael Fehan, P.P. of Thurles, V.G., in order to facilitate private enquiry into character, morals, etc., six months before they presented themselves for orders, their own and their parents' names, place of abode and parish, age, where educated, etc. They were to assemble in the chapel of Thurles for the quarter tenses of Lent, Pentecost, and Autumn, to be examined and instructed by priests chosen for that purpose, who were to report to the archbishop on the merits of each, at the conferences then held in June, July, August, and September, each stating conscientiously his own opinion of proficiency, virtue, etc. The candidates were also strongly recommended to live some time with a parish priest, to read the divine office with him, to attend morning and night prayers there, catechise every Sunday, confess frequently, beginning with a general confession of the whole past life, and learn the nature of the order they hoped to receive, and the duties it imposed.

Before ordination the official was to produce to the archbishop written testimonials of baptism, confirmation, age, moral character, confession, length of probation, and other proofs of a divine call to the ecclesiastical state, means of support abroad, and name of foreign college where the candidates proposed to study, their progress in study hitherto, title, etc. At the public meeting the examiners were to inspect all these certificates; 2°, to test the students' acquirements and natural talents; 3°, their knowledge of Christian doctrine; 4°, of the order they aspired to; 5°, of sacred music and church ceremonies.

May 19, 1750, Dr. Butler wrote "*e loco refugii nostri*," the above regulations in form of pastoral, in Latin, to the examiners then appointed, ordering them to summon before all, if possible, before three at least of their body, all the candidates for orders, to propose to them brief questions, to which they should send in written answers within three hours without the aid of books or conversation; to require the profession of faith under their hands to be given to the archbishop; to see that each should go through the ceremonies of Mass, be properly instructed in the mode of catechising, preaching, and in the constitutions and statutes of the diocese, etc.; and then each of the examiners was bound to give in writing to the arch-

bishop alone, his opinion of the merits of the candidates, without intimating by word or sign his own views even to the fellow-examiners.\*

Afterwards, to prevent mistaken indulgence or other abuses, the archbishop wrote out the very questions to be proposed, received from the candidates themselves before admission the profession of faith, signed with their own hands, name, address, etc. Finally, he decreed that all priests (not P.P.s, I suppose,) who refuse to undergo, when called upon, such examination, are by the fact suspended from that day forth from hearing confessions until they are examined, or have faculties granted to them anew, and that the punishment shall be increased at the will of the archbishop as often as they refuse.

Jan. 8, 1752, he issued from "Fethard chapel" a Lenten Pastoral, in which he grants as an indulgence, on account of the scarcity of provisions and poverty of the people, that all Catholics might use "a moderate collation (and from their piety expected to be very

\* The following is the original text of which the above is nearly a literal translation:—

"*Jacobus Dei et Apostolicæ sedis gratia Episcopus Troanensis et coadjutor designatus et a curia et ab Ilmo. et Reverendo Christophoro, in suis Diocesis-bus Cassiliensi et Imlicensi. Mense Maii, 1750.*

"*Dilectis et venerabilibus D.D. Examinatoribus in dicto districto designatis—Salutem in eo qui est omnium salus. Cum dicti districtus sollicitudo nobis incumbat, idcirco pro nostri officii munere exhortamur vos nunc electos ad officium examinerum, vel deinceps ad dictum officium eligendos et a nobis de tempore ad tempus statuendos in dicto districtu, ut sacerdotes candidatos dicti districtus ad officium confessoriorum coram vobis omnibus si id commode fieri poterit, vel saltem tribus in unum collectis convenire faciatis, strictum et rigorosum examen subituros, qui tenebuntur suas responsiones ad illas quæstiones quas per integram horam ipsis convenientur dictari possint, vel ad tot illarum quot per tres horas continuas licuerit, sine ulla ope conversationis, aut lectionis libri aut librorum durante dicto tempore, per modum catechismi, necnon et fidei professionem Ordinario post dictum examen tradendas, scripto exhibere: curabitur igitur ut divina mysteria coram vobis singuli celebrent, unde sciatis num rite iis ceremoniis et statutis ceterisque pro bono dicti districtus editis vel post hac a nobis statuendis (cum hoc ad nos plena jurisdictione pertinere dignoscatur), similiter et de eorum prudentia, scientia, et vita et moribus et zelo pro domo Dei, aliisque qualitatibus et dotibus in missionariis requisitis, ad vineam Domini fideliter excolendam: opinionemque singulorum vestrum de quolibet ejusmodi candidatorum, nemini ne vel cuiquam ex sociis vestris, aut verbis aut signis exterioribus quoquomodo prodendam ex fide sacerdotali, scriptis candidis mandatam ad ordinarium tantum dare dignemini. Interim vero Patrem luminum suppliciter exoremus ut ecclesiæ suæ misericorditer providendo mittat ipse operarios dignos et idoneos in messem suam.*

"*Datum in loco refugii*

"*Decimo nono mensis Maii,*

"*Anno salutis 1750,*

"*JACOBUS, Supradictus.*"

moderate) of bread and drink, but not milk, butter, or cheese; eggs at one meal on Sundays, Tuesdays, and Thursdays—to labourers and hard working tradesmen, whose condition requires two meals a day, eggs also on Mondays—and this leave to continue from first Sunday of Lent till Passion Sunday inclusively. All who avail themselves of the indulgence now granted are to make reparation by pious prayers to God and charity to the poor. Directions to the same effect as the present were drawn up at Mitchelstown in presence of Dr. Tim. Hynes, and other pastors of Emly in Jan. or Feb., 1749–50, sent to the metropolitan, and approved by him.\*

In 1753, Dr. Butler received a letter from Cardinal Corsini, the Cardinal Protector of Ireland, directing him to consult with his suffragans on certain abuses complained of in the Nuncio's letter of 1751,† and which the Cardinal heard with regret still prevailed in Ireland. Dr. Butler accordingly requested the bishops of Munster to meet him at Thurles on the 12th of March, 1755, to deliberate on this subject. He intended to hold a provincial council, but only one bishop attended, Dr. Lacy, of Limerick, attended by Rev. James White, the historian, as his secretary and notary apostolic. A fuller attendance was happily not necessary for the expressed purpose of the summons. It was at once agreed that Dr. Butler should write to the Cardinal an explicit denial of any such abuses being known in the province of Munster.‡ The prelates also declared at this meeting, that to gain the indulgences granted in the Bull of Benedict XIV., December 5, 1753, to those, who having confessed and communicated, would visit any of the parish chapels of Ireland on the feast of St. Patrick, the feast of the Dedication of each particular parish church, it was not necessary that all the works prescribed should be performed on the same day; that it was sufficient, having received the sacraments some time before, to visit

[\* DIRECTIONS to the Rev. Pastors of the dioceses of Cashel and Emly concerning the FAST of the Lent beginning the 12th day of Feb., 1752. Such is the title of this Pastoral, written in English. As the summary here given contains nearly all the provisions, we think it unnecessary to add the original text. The manner of publishing the DIRECTIONS is added thus: "Rev. Michael Fehan, worthy pastor of Thurles, is to notice timely the undernamed persons that he is ready, and exhorted to be so, to have the foregoing writings at his chapel, or at any place of his appointment, before them, that every one of them, or deputy, may copy the same for their intended use. Wishing God's blessings. By the above abovementioned,

JAMES BUTLER.

The Messrs. Rev. John Ryan, of Loughmore; James Everard, Edmund Butler, Patrick Ryan, Roger Fogarty, Richard Purcell, Timothy Brien, John Dorney."]

† See Appendix C.

‡ To these charges Dr. O'Brien, of Cloyne, wrote an able reply in 1755 or 1756.

the church on the day of indulgence.\* Dr. Butler, disappointed in his hopes of holding the provincial council this time, prorogued the meeting until July 2, 1755, "but as the times threatened to be troublesome then, *none of the prelates attended.*"†

Dec. 15, 1755, frequent application having been made by Dr. Butler, and the bishops of Ireland generally, to lessen the number of holydays, Benedict XIV. at length issued a decree, exempting the faithful from the obligation of abstaining from servile work, *the precept of hearing Mass remaining still in full force*, throughout the year, except on all Sundays, the feasts of the Nativity of our Lord, of St. Stephen, the Circumcision, Epiphany, Easter Monday, Pentecost Monday, Corpus Christi, Ascension, St. John the Baptist, SS. Peter and Paul, All Saints, the five festivals of the B.V. (Conception, Purification, Annunciation, Assumption, and Nativity), and St. Patrick's Day.‡

\* [In the decree of Benedict XIV. of the above date, granted for *ten years* only, there is nothing to show that the ordinary conditions for gaining the indulgences need not be complied with on these festivals. Comp. the Constitution '*Inter præteritas*,' Dec. 3, 1749, of Benedict XIV., and the powers granted to the Capuchins of France and Ireland, 1734; also the decrees of Clement XIV. 17 Apl. 1772, and 14th February, 1773. According to the general law of the Church when *communion* is prescribed as an essential condition for gaining an indulgence (as it *was* in this case), the Blessed Eucharist must be received on the day named, or on the vigil of *feasts* now by concession of Pius VII. June 12, 1822. Consult the admirable work on Indulgences by the late bishop of Mans (Bouvier), "*Traité des Indulgences*, dixième édition, pp. 65 and 72.]

† White's MS., p. 130.

‡ "*Venerabilibus fratribus Archieps. et Epis. Regn. Hiberniæ* BENEDICTUS P.P. XIV.

"VENERABILES FRATRES,

"Salutem et Apostolicam benedictionem. Cum sicut quædam sint, ut inquit S. Leo magnus predecessor noster, quæ nulla possunt ratione convelli, ita multa sint, quæ aut pro consideratione ætatum, aut pro necessitate rerum oporteat temperari, illa semper conditione servata, ut in his quæ vel dubia fuerint aut obscura, id noverimus sequendum quod nec præceptis Evangelicis contrarium, nec decretis sanctorum Patrum inveniatur adversum . . . Quoniam autem pro parte vestra nobis expositum fuerit, et fraternitatibus vestris notuit, quod in vestris civitatibus, et respective diœcesibus curæ vestrum commissis adeo excreverunt calamitates et angustię propter præsentium temporum infortunia, ut miseri illius habitatores, incolęque, et præsertim ii qui in sudore vultus sui panem comedunt, persæpissime cogantur, quamvis animo invito, dies festos negligere, operibusque mechanicis sese addicere pro pane lucrando; et id eo facilius continget ob extremum dierum festorum numerum; ac propterea nobis humiliter supplicatum fuit, ut in præmissis opportune providere, et ut infra indulgere benignitate Apostolica dignaremur. Nos itaque, qui Christi fidelium et . . . dictos incolas specialibus favoribus prosequi volentes, et eorum singulares personas a quibusvis censuris, et pœnis excommunicationis . . . harum

In the month of Jan., 1756, the archbishop of Cashel received

serie absolventes, Fraternitatibus vestris per præsentēs committimus et mandamus ut, *veris existentibus narratis*, omnibus utriusque sexus Christi fidelibus; earundem civitatum et diœcesum respective vestrarum, ut deinceps, exceptis omnibus Dominicis, necnon Nat. Domini nostri J.C., et sequenti S. Stephani, Circumcisionis, Epiphaniæ, Paschalis resurrectionis et sequenti, Pentecostes et sequenti, ac Corporis Christi, et Ascensionis, S. Joannis Baptistæ, et S.S. Apostolorum Petri et Pauli, et commemorationis omnium sanctorum; præterea quinque dicatis B. Mariæ Virgini (scil. Concept. Purif. Annunt. Assump. et Nativ.) necnon S. Patritii Episcopi, duntaxat diebus festivis in quibus integra maneat præcepti obligatio, in reliquis vero festis, sive per hanc sanctam sedem præceptis, sive per synodales earundem diœcesum constitutiones, sive quacunque alia de causa etiam ex causa voti per majores suos facti, quod quoad hanc partem etiam, *audita tamen Missa*, laboriosis suarum artium exercitationibus, servilibusque operibus sine ullo prorsus conscientiæ scrupulo vacare possint, auctoritate nostra Apostolica concedatis, et indulgentes statuatis et mandetis, non obstantibus quibuscunque . . .

“Datum Romæ apud S. Mariam Majorem sub annulo Piscatoris die 15 Dec. 1755 Pontif. nostri anno 16<sup>o</sup>.”

“Pro D. CARDINALI PASSIONEO,  
“JOANNES FLORIUS, substitutus.”

[Nothing could prevail on the Pope to grant then the exemption from hearing Mass on the holydays on which leave was thus given to work, because his Holiness had refused this privilege to most powerful princes. Private letters, however, were received from Rome, which encouraged the bishops to dispense from the law on their own responsibility. Pius VI. in 1778 dispensed with the obligation of hearing Mass on all these retrenched holydays, except the Mondays after Easter and Pentecost.

*Ex audientia SSmi habita die 29 Martii, 1778.*

“Illustrissimus Dominus noster Pius divina Providentia P. Pius VI. me infra scripto sacre congregationis de Propaganda fide secretario referente, attentis peculiaribus circumstantiis Catholicorum in Hiberniæ regno degentium, eos benigne dispensavit a præcepto audiendi sacrum, et abstinendi ab operibus servilibus per dies festos cujuslibet anni, exceptis tamen Dominicis, et feria secunda post Pascha resurrectionis, ac Pentecostes, necnon solemnioribus reliquis festis, scil. Natalis Domini, Circumcisionis, Epiphaniæ, Ascensionis, Corporis Christi, Annuntiationis, et Assumptionis B. Mariæ Virginis, Nativitatis S. Joannis Baptistæ, SS. Apos. Petri et Pauli, Commem. omnium SS. ac demum S. Patritii, Patroni regni, et ubi colitur, patroni etiam loci; vigiliis autem festis ut supra dispensatis adnexas Sanctitas sua mandavit transferri in IV. et VI. feriam uniuscujusque hebdomadæ adventus in quibus jejunium idem servandum erit quod in quadragesima et quatuor temporibus anni servari debet. Quoad vero ecclesiastica officia, Sanctitas sua declaravit ea sic ut antea retineri oportere tam in Missæ celebratione, quam in horis canonicis recitandis. Datum Romæ ex ædibus S. Cong. de Propag. Fide, die et anno prædictis.

“STEPHANUS BORGIA,  
“Sac. Cong. de Prop. Fide Secretarius.”

This decree, which fixed the discipline of the Irish Church for about half a century, was not acted upon throughout Ireland. In parts of the south and west

from Cardinal Valenti a letter, and the Apostolic decree "*Quam ex*

particularly, the old usage prevailed for many years after. In 1826 the late bishop of Kerry found it necessary to apply again for the same privilege to the Holy See, because the feasts of the Purification, Nativity, and Conception continued to be observed as before by the faithful of that diocese. The reply declaring the people free from all obligation of hearing Mass or abstaining from servile work is dated 24th June, 1826.

Dr. French, bishop of Elphin, in a letter to Dr. Moylan, (Athlone, September, 1803), writes thus: "As I find the Dublin Directory growing very defective, which the clergy of this diocese to a man complain of, I would be much indebted to your Lordship to direct the compiler of your Cork Directory to strike off 100 copies extraordinary of his for the diocese of Elphin, and forward them to Athlone, to Daniel Daly, printer, with instructions that one of them should have blank leaves for my use to mark visitations, parochial stations for Confirmation, etc. You will also have the goodness to direct him to note for this diocese as solemn festivals, the three retrenched Lady-days, viz.—the Purification of the Blessed Virgin Mary, the Nativity, and the Conception—these three days are of as strict observance in this diocese as the Annunciation or Assumption; likewise the two days immediately after Christmas, St. Stephen's and St. John's day, but the feast of Holy Innocents is only a day of devotion. Your Lordship will oblige me much by giving this direction to the gentleman who compiles the Directory. When the abrogation of the above feasts took place, my worthy predecessor signified to the Holy See his reason for not availing himself of the discretionary indulgence; first as to the Lady-days, because the diocese was dedicated to the Blessed Virgin; and secondly as to the days after Christmas, in honour of that great festival, which fell in the dead part of the year, when no labour was being carried on."

In 1830 the Irish bishops petitioned for the suppression of the Mondays after Easter and Pentecost and St. John's Day. Pius VIII. by decree Aug. 23, 1829, granted the prayer for both Mondays, but excepted St. John's Day, unless the Irish bishops should be unanimous in judging a change expedient; and even then the Pope did not exempt from the obligation of hearing Mass. Application was made again on the 23rd Feb., 1830, "that the feast of the Nativity of St. John the Baptist should be entirely suppressed—as to the precept of hearing Mass, of abstaining from servile work, and of fasting on the vigil"—and Card. Capellari replied April 3, 1830, that the two last points had been already conceded by the decree of 1829, but that the sacred congregation ardently desired to retain the precept of hearing Mass, in honour of the precursor of our Lord.

It is manifest that the Holy See felt very reluctant to abolish St. John's feast for the justest reasons. To retain the precept of hearing Mass in a country like Ireland, where the chapels are few and at a great distance from the people, was in effect to make no change at all. The Irish bishops did not therefore avail themselves of the power thus given; they applied again in 1831 for the total retrenchment, when Gregory XVI. gave them power to dispense in the obligation of hearing Mass also by the following decree:

*"Ex audientia SSmi habita die 7 Augusti, 1831.*

"SSmūs Dnūs Noster Gregorius Div. Providentia P.P. XVI. referente me infra Sac. Cong. de Prop. Fide secretario perpensis expositis benigne R. R.



*Sublimi*" of Benedict XIV., with instructions to transmit a faithful copy to each of his suffragans.\*

Jan. 27, 1760, Dr. Butler consecrated in Thurles Dr. O'Kearney, of Limerick; and August 4, 1765, in Thurles also, Michael Peter M'Mahon, of Killaloe.†

August 1, 1763, he published a body of statutes, in 3 folio pages, dated "in capella de Thurless," which prescribe under strict penalties the publication of the banns, attendance at spiritual conferences, and forbid priests from being absent from their parishes more than three days without leave, from saying two Masses on holidays with-

P.P. D.D. Archiepiscopis et Episcopis regni Hiberniæ facultatem concessit ut die festo Nativitatis S. Joannis Baptistæ, in cujus festi suppressione concedenda, servata fuerat obligatio audiendi missam eo die, dispensare possint ob supra allatas causas cum Catholicis eorum jurisdictioni spirituali subjectis qui in expositis adjunctis versantur a memorata obligatione: contrariis quibuscunque non obstantibus.

"Datum Romæ ex ædibus S. Cong. de Prop. Fide, die 7 Aug. 1831,

"Gratis sine ulla omnino solutione quocunque titulo.

"CASTRUCCIUS CASTRACANE,

"Secretarius."

Since 1831 the number of holydays has not been lessened, one good result of the firmness of the Holy See on that occasion. Among the Irish people the celebration of holydays has been always a profession of faith, which kept the *Catholic* body united, and served more than perhaps any other duty to remind their separated brethren of their isolation, and their revolt from the church.]

[\* For the decree "*Quam ex Sublimi*," issued August 8, 1755, see *Bullarium* of Bened. XIV. tom. iv. p. 343. The following is a copy of the letter which accompanied it.

"*Perillustris ac Revme. Domine, uti Frater.*

"Maxima sollicitudo summi Pontificis pro recte administrandis ecclesiis, quæ tum episcopis, tum vicariis apostolicis in locis missionum subjiciuntur, eo potissimum tempore. cum ipsarum vacationes contingant, ut aliquis semper præsto sit, qui jurisdictionem ordinariam vicarii capitularis titulo ac facultate præditus exerceat; ea inquam sollicitudo animum Sanctitatis suæ permovit, ut literas Apostolicas encyclicas quæ typis impressæ simul hac epistola ad amplitudinem tuam mittuntur in lucem evulgaret; itaque magno studio curabis executioni demandare quicquid in illis continetur ac præscribitur, habita ratione temporum et istius diocesis necessitate; neque prætermittas has literas episcopis suffraganeis tuis patefacere earumque exemplar diligenter custodire, ut successoribus tuis innotescant et hanc sac. cong. certam facere quod in tuas manus pervenerint. Et amplitudini tuæ summam a Deo apprecor incolumitatem. Romæ 15 Nov. 1755.

"Uti Frater studiosissimus,

"CARD. VALENTI,

"N. Archiepus. Rhodiensis, Sec.]

"Amplitudini Tuæ D. Archpo. Cassiliensi."

† *Hib. Dom.*, p. 870.

out the bishop's sanction, and assisting at theatres, plays, and other amusements condemned by the canons of the Church.\*

In the year 1762 Dr. Butler was, like the other bishops of Munster, greatly afflicted by the lawless banditti that began to disturb the peace of his diocese. The history of these excesses does not properly belong to ecclesiastical biography, but as the documents within my reach give far the earliest and most authentic record of these sad events, and as the accounts hitherto published are very imperfect and distorted, I shall quote the exact words of the MS. before me, written at the time the facts were occurring.†

"About the month of Jan., 1762, the people who called themselves Levellers or White Boys, to the amount of some hundreds, some say thousands, did by night great mischief by levelling the hedges of those who encroached on any of the commons, by digging up the rich ground of those who would not set their ground for tillage, and burning their barns and haggards. They by degrees spread over Munster, did incredible mischief in the counties of Waterford, Tipperary, and Cork, as also in the county of Limerick, and in the parish of Kilfinnan, where in one night they dug up twelve acres of rich fattening land, belonging to one Maxwell, hocked some cattle, etc. There is no knowing where this will stop, but the government has given orders to the governors of the respective counties to inspect into the causes of these evils, and for that purpose to assemble the justices of the peace. It is surprising that there are such numbers of them that none of them discover upon their companions, that they are never seen by day, and that they damage indiscriminately both Catholics and Protestants, and even punish the priests who exert themselves against them. Our bishop has sent his mandate to his priests to exert themselves against it."

In another part of the MS., obviously written at a later period of the same year, the writer continues the history thus:—

"I have mentioned some of the mischiefs which the Levellers or White Boys did in several parts of Munster, and which evils they continued doing till the month of April in the counties of Waterford, Cork, Tipperary, and Limerick. The Earl of Halifax, Lord Lieutenant, issued out many proclamations against them, and at length sent the army against them, particularly Lord Drogheda's regiment of light horse, who made many of them prisoners, and lodged them in the respective gaols of said counties: *they made discoveries of many of their leaders, who all turned out to be Protestants of property, who bullied the poor creatures to do said mischiefs, under the color of lowering thereby the price of land, and getting for them a sufficiency of potatoe ground.* It is uncertain what real motive

\* Appendix C.

† White's MS. When he mentions transactions in spring, he had no knowledge of what occurred in the following autumn, of which he speaks afterwards.

said Protestants had in fomenting such overt acts of violence; many imagine it was to prejudice the Catholics, as the Lord Lieutenant and the government of England and Ireland were disposed to favour them; especially as there were proposals then made for raising of Irish Roman Catholic regiments on the English establishment for the service of the king of Portugal. However, as there are several of the Protestant leaders confined in the respective gaols, and many more of them out on bail whom they were ashamed to confine, and that they are making discoveries to two commissioners sent from Dublin for that purpose, it is expected the *truth will be found out*, and the government will be undeceived in the bad notions they conceived against the Catholics, of whom there was not one person worth ten pounds in the world concerned in said disturbances. Still these rioters had like occasioned a good deal of harm to the poor Roman Catholics of the kingdom (who have lived these seventy years past in the greatest loyalty), for the Irish parliament proposed declaring it a Popish Rebellion, calculated to favour an invasion of our enemies, and that all the laws made against Papists should be in full force and rigour; but our good and merciful Lord Lieutenant put a stop to such proceedings, for it is supposed he very well knew that the Catholics, except the poor slaves, had no share therein. . . . They have in some places endeavoured to accuse Roman Catholic priests, as if they were at the bottom of these disturbances, and have brought them in prisoners; particularly on the 2nd of May, Sir James Caldwell's light horse brought in a prisoner to Limerick, one Father Kennedy, P.P. of Tulla, in the county of Tipperary; but on his being examined the next day before the commissioners from Dublin, he was honourably acquitted, and the information against him was declared false and malicious. The great God is clearing up this point, and what threatened being the ruin of Catholics, may turn to their greater advantage."

A commission, which was opened in Limerick on the 31st of May, seems to have checked and nearly eradicated the White Boys' combination in that county; but though three of them were executed in the county of Tipperary at the summer assizes of 1762, yet the disturbances were partially continued, and at the spring assizes of 1763 three more, including one Fogarty, styled Captain Dreadnought, were hanged at Clonmel. Some years later, in 1776, Father Sheehy was executed there also, having been "accused of encouraging and heading the White Boys, and wrongfully charged with murder."\*

Towards the close of Dr. Butler's life, the government found it necessary to conciliate the Catholics, and to relax the severity of the penal laws against them. Hitherto, almost uninterruptedly from the Reformation, the archbishops of Cashel had no fixed place of resi-

\* J. White, author of this MS., died Feb. 7, 1768.

dence; their pastorals and letters are all dated from 'our place of refuge,' etc. But Dr. Butler in his old age was permitted to dwell quietly in an humble thatched cabin, which occupied the site of the present archiepiscopal residence in Thurles. It was here he died in the eighty-third year of his age, on the 17th May, 1774.\* His body is buried in the parish chapel of Thurles, with the following epitaph inscribed on a slab on the eastern wall of the chapel yard:

I. H. S.  
 Hic jacent reliquiae  
 Illustrissimi ac Reverendissimi Jacobi Butler,  
 De nobili stirpe de Dunboyne oriundi,  
 Archiepiscopi Cassiliensis,  
 Momoniæ Primatis,  
 Sacrosanctæ Romanæ Catholicæ fidei  
 Cultoris observantissimi;  
 Qui  
 Piis laboribus non minus  
 Quam senio confectus,  
 In spe viva  
 Gloriosæ resurrectionis,  
 Supremum clausit diem  
 17 Maii,  
 Anno Christi 1774,  
 Ætatis suæ 83º.  
 Moriture Lector ora.

## JAMES BUTLER II.

JAMES BUTLER, son of James Butler, Esq., Ballyragget, and of Frances Dillon (perillustrium parentum), born in Dublin, where his parents had visited for a short time only, was baptized in the parish of St. Mary's of the Immaculate Conception, March 6, 1742, his sponsors being the 'illustrious' (perillustres) Nicholas Wogan, and Mary Power Daly.†

Jan. 14, 1764, Thomas De Burgo, bishop of Ossory, gave dimissorial letters for his receiving tonsure and minor orders in Belgium, where he then was.‡ He accordingly received minor orders as a

\* [Other events regarding this prelate's life are noticed in the next memoir, J. Butler II.]

† Baptisterium, dated Jan. 6, 1764, given by Rev. William Clarke, rector of said parish, and attested as genuine by Most Rev. Patrick Fitzsimons, A.B., electus, under his seal and signature, Jan. 8, 1764.

‡ Registrum Ossor., p. 103.

scholar of Ossory from the hands of Felix Joseph Hubert de Warrens, bishop of Ypres, on the 22nd Sept., 1764.\*

May 23, 1765, Patrick Fitzsimon, archbishop of Dublin, gave Mr. James Butler, acolythe, lately student at Paris, but now at L'Isle (Insulis), dimissorial letters for receiving subdeaconship on the "title of patrimony approved by him," and deaconship from the bishop of Ypres, or any other Catholic bishop, which he authenticated with his seal and the signature of self and secretary, Philip Rossiter.

Jan. 3, 1767, Patrick Fitzsimon, archbishop of Dublin, gave him, on representing that he was born and baptized in Dublin (though, as stated above, his parents only visited there, and returned home without delay), a letter signed and sealed, making over all his right on the bishop of Tournay, and that therefore, he might receive from said bishop tonsure and all the orders; and promising formal letters of exeat hereafter, if necessary. On the back of this document he himself wrote, March 26, 1770, that he had on that day consulted the celebrated Alban Butler, who told him this transfer was utterly useless, and the previous dimissorials of Dr. Fitzsimon invalid. It is evident he was a subject of Ossory, not of Dublin.

April 1, 1767, James Butler, not being perfectly satisfied in conscience with these dimissorials, applied to Dr. Burke, of Ossory, who granted to him at L'Isle the usual dimissorials for subdeaconship.†

March 31, 1770, he was ordained subdeacon as 'Acolythum Ossoriensem rite dimissum, titulo patrimonii' in the chapel of the episcopal seminary of Artois, with the license of Lewis Francis Mark Hilary de Couzie, bishop of Artois, by the hands of Joachim Francis Mamertus de Couzie, bishop of St. Omer.

\* Letter of ordination, printed under his hand and seal, and hand of secretary, same date.

† "Nos F. Thomas De Burgo, Ordinis Predicat S. Theologiæ Magister, Dei et Apostolicæ sedis gratia, episcopus Ossoriensis, necnon parochiæ S. Mariæ, Kilkennii parochus, dilecto nobis in Christo Jacobo Butler, acolytho Ossoriensi, utpote a castro Allodiali de Ballyragget, in prælibatâ nostra diocesi oriundo, Salutem in Domino.

"Petitioni tuæ annuere cupientes, ut a quocunque quem adire volueris, Ilmo. et Revmo. antistite, gratiam et communionem ejusdem sanctæ sedis habente, sacrum sub-diaconatus ordinem ad titulum patrimonii suscipere possis et valeas, dummodo tamen idoneus repertus fueris, atque patrimonium viginti librarum sterlinguarum (ut vulgo loquimur) monetæ Hibernicæ, annuatim percipiendarum legitimum probetur et certum, licentiam concedimus et facultatem per præsentem. In quarum fidem et robur easdem a nobis scriptas et subscriptas, sigillo nostro Episcopali muniri et secretarii nostri chirographo subsignari jussimus. Datum Kilkennii in ædibus nostræ residentiæ, die prima mensis Aprilis, anno æræ Christianæ, 1767, consecrationis nostræ anno octavo." (Taken from Registrum Diocæs. Ossor., pp. 108, 109).

June 10, 1770, Denis Deleign, V.G. Ossory, during the absence of Dr. De Burgo in Rome (ad limina Apostolorum), sent him dimissorials for receiving deaconship; and October, 1770, gave dispensations in the interstices for the same.

Dec. 22, 1770, he was ordained deacon (within less than nine months after receiving holy orders as a sub-deacon of Ossory), with the proper dimissorials by Lewis Francis Mark Hilary de Couzie, bishop of Artois, in the chapel of his episcopal seminary.

Jan. 23, 1771, Dr. De Burgo sent himself dimissorials and dispensation for his receiving priesthood from the bishop of St. Omer's; and May 25, 1771, he was ordained priest in the chapel of the seminary of St. Omer, by Joachim Francis Mamertus de Couzie, bishop of St. Omer.

Dec. 24, 1772, Dr. James Butler I., archbishop of Cashel, despatched a postulation to Rome, with all the necessary papers, to have our James appointed coadjutor.

Jan. 27, 1773, James I., archbishop, etc., wrote to Mr. Charles Kelly, of the Minerva, Rome, "via London, Brussels, Milan," informing him of the application, as follows:—

"Thurles, Jan. 27, 1773.

"VERY REV. SIR,

"I now assure you of the certainty of what escaped your knowledge when I had your favour of the 5th of June last, to wit, the project of Mr. Edmund Ryan, of Madrid, who by his emissaries here obtained, without my participation, the subdulous subscriptions of some of my clergy in his favour, who were induced thereto, some by promises, others by threats, but all the faction were bound to secrecy, and loudly boast that their postulate should never reach my hands, no more than freemason secrets. You may judge whether such a matter deserves not to come to light, in order to obviate impositions on the court, and any such proceedings in this kingdom for the future. My answer to the Nuncio on that head was laid before the said congregation, which resolved on giving me no coadjutor, if I thought proper, and otherwise one of my own choosing. Whereupon I fixed on Mr. James Butler, of Ballyragget, a nobleman of uncommon learning and piety; and despatched hence all papers relative thereto on Christmas eve last by the channel of St. Omer, as his friends directed."

"— has been graciously received into the Urban college. I hope by your good management and friendly activity you will prevail on Cardinals Castolli and Marefuschii to give me place for one in the Irish house.

"It is insinuated that Dr. Carpenter has gained for his province a dispensation from hearing Mass on the retrenched holidays. I request you will petition the court for the same indulgence for mine, and if not obtained for all, require it for my own diocese and those of Kerry and Limerick. You will be pleased also to apply for a patent of notary Apostolic for Rev. Edmund Cormick, secular priest of this diocese. As I and many more of this district have a dimness of sight, I expect you will call for an indulgence of saying votive Masses of the holy name of Jesus, of the Blessed Virgin, and of requiem, according to our devotions, and to send a full and exact account of how my

faculties stand, as moreover of your demand upon me, and the channel of remittance, the earliest intelligence of success in my late postulation, together with all other occurrences relative to me.—I am, etc.

“To Mr. Charles Kelly.”

April 17, 1773, the faculties in the *Formula Sexta* were obtained for J. Butler II. as bishop elect: on his appointment he wrote two beautiful letters to the Pope and Card. Protector.\*

July 4, 1773, on the fifth Sunday after Pentecost he was con-

\* “**BEATISSIME PATER,**

“Vix mihi unquam persuadere potui ut ad beatitudinem vestram mihi aliquando daretur scribendi occasio: hanc mihi fecit copiam Beatitudinis vestræ benignitas, et melior quam pro merito de me concepta opinio. Ad statum clericalem me jampridem suspirasse non diffiteor; episcopalem vero dignitatem ita semper pertimescebam, ut nihil mihi magis in votis esset quam intra presbyteratus limites pedem sistere, et ejus munia pro viribus obire. Ubi primum Illustrissimi Casseliensis archiepiscopi me sibi in coadjutorem assumendi mens mihi innotuit tremefactus ejus in me gratia, ad Beatitudinem vestram missæ restituissem petitioni, ni in sensu meo nimis abundare metuissem. Faxit Deus ut quod ad illustrissimi præsulis vota, Beatitudo vestra mihi censuit imponendum onus, ita ferre valeam, ut nec Beatitudinem vestram collati, nec me suscepti muneris unquam pœniteat. Volentibus et pro modulo conantibus Deum nunquam defuturum mihi persuasissimum est; insuper cum infirma mundi et contemptibilia aliquando eligere ad voluntatis suæ propositum exequendum non ignoro, nullumque esse quantumvis vile instrumentum, quod inter omnipotentes ejus manus, ad quodcunque opus, non evadat idoneum. Hoc novi, et hinc, Beatissime Pater, omnis mea in obsequendis beatitudinis vestræ mandatis fiducia. Ceterum si in excolenda ea, cui Beatitudo vestra me præfecit, vinea, possum ab oculis habere, et imitari eam, qua Beatitudo vestra, dum ipsi incumbit totius Ecclesiæ sollicitudo, præluceat, prudentiam; quæque difficillimis hisce temporibus, animos conciliat, lites componit, commissumque sibi gubernaculum adeo feliciter gubernatur, esset unde sperarem omnia fausta mihi eventura: at vereor ne audientior sit animi imbecillitatis suæ parum memoris, eo mentem intendere. Superest igitur, Beatissime Pater, ut misericordi Deo me totum committam, quem Beatitudinis vestræ imperio obsequenti mihi non defuturum confido. Ut diuturnam tranquillamque vitam Beatitudini vestræ ad Ecclesiæ suæ felicitatem et pacem concedat Deus optimus maximus, enixe precatur.

“Beatissime Pater,

“Beatitudinis vestræ

“Humillimus ac obsequentissimus servus

“**JACOBUS BUTLER,**

“Designatus Epis. Germanicopolis  
et coadjutor Casseliensis.”

“**EMINENTISSIME CARDINALIS,**

“Quod sollicitum me jampridem tenebat quia eventurum, tandem evenit: placuit Eminentiae vestræ me illustrissimi Casseliensis archiepiscopi coadjutorem designare: faxit Deus ut Eminentiam vestram non fallat bona de me con-

secrated Epūs *Germanico-politanus*, and coadjutor of Cashel by Lewis Francis Gabriel, bishop of Amiens, assisted by the bishops of Beauvais and Evreux.

Jan. 17, 1774, the Right Rev. Joachim Francis Mamertus De Couzie, bishop of St. Omers, appointed him vicar-general with the most extensive powers of governing his diocese in spirituals and temporals; of administering Holy Orders and Confirmation, of absolving and delegating to absolve from all reserved cases and censures, consecrating altars and churches, dispensing in banns and impediments, receiving resignation of benefices, etc.\*

May 17, 1774, he became archbishop of Cashel on that day by the death of James I., in the eighty-third year of his age.

[Aug. 8, 1774, the Cardinal Protector Marefoschi wrote to say that the Pope had conferred on him the Parish of Thurles according to his petition.

Sept. 1774. Dr. Butler arrived in Thurles, where he continued to reside ever after.†

cepta opinio: faxit Deus ut Eminentię vestrę votis respondeat tota vitę meę series, et in excolenda mihi commissa vinea studeam. Quam impares sint vires meę ad tantum ferendum onus quam vehementissime sentio. Nondum quippe mihi consilii maturitatem contulit ætas provectior, nec rerum gerendarum solertiam indicavit experientia: dedi tamen manus ne Beatissimi Patris et vestrę Eminentię voluntati minus obsequens Dei ordinationi resistere viderer. Fluctuantem animum et quidem prę timore tanti oneris pene deficientem, confirmavit prę cæteris *Albanus Butler*, collegii Anglorum Audomarensis Præsides, vir cum eximia pietate tum omni eruditionis genere insignis. Illum quem hactenus sum ducem secutus, adminiculo mihi fore sperabam. Verum ad coronam justitię diligentibus Deum repositam, Benignissimo Numini illum nuper transferre visum est. Superest igitur mihi, Eminentissime Cardinalis, ut Eminentię vestrę jussa capessenti, Deum, ex quo omnis sufficientia mea, mihi auxilium suum non denegaturum, confidam. Operi mihi proposito, toto incumbere animo, mihi statutum est; at viribus meis parum fidenti maximam injiceret fiduciam, si in rebus difficilioribus quandoque subnascentibus ad Eminentiam vestram mihi recurrere concederetur.

“Ut sospes sit Eminentia vestra ad Ecclesię nostrę tutamen et pacem, ex toto animo pecatur

“Eminentissime Cardinalis Protector

“Humillimus ac Deyotissimus servus

“JACOBUS BUTLER,

“Designatus Epis. Germanicopolis et

“Coadjutor Casseliensis.”

\* “Nos attendentes eximiam rerum Ecclesiasticarum scientiam, zelum apostolicis documentis informatum, diligentiam Ecclesię Dei insignem fratris nostri Jacobi Butler, Illustrissimi ac Reverendissimi episcopi, ac multa fiducia sperantes fore, ut quamdiu in nostra diocesi commorabitur, in partem laborum ac sollicitudinis nostrę Episcopalis venire non renuat aut gravetur.”

† In 1778 he succeeded to the family estates, out of which he reserved for his own use about £1000 a year, giving up the residue to a younger brother.



July 15, 1775, Dr. Butler and suffragans met near Cork, and passed unanimously the following resolution on the oath of allegiance proposed then by the government.\*

#### DECLARATION.

"We, the chiefs of the R. C. Clergy of the province of Munster, having met together near Cork have unanimously agreed that the oath of allegiance proposed by act of parliament, 'anno regni decimo tertio et quarto Georgii tertii regis,' contains nothing contrary to the principles of the Roman Catholic Religion.

"Given near Cork, this 15th day of July, 1775.

JAMES BUTLER,  
DANIEL O'KEARNEY,  
JOHN BUTLER,

MATTHEW M'KENNA,  
WILLIAM EGAN,  
F. MOYLAN.

MICHAEL PETER M'MAHON."

Without dwelling at present on various other arguments against this oath, we cannot pass unnoticed the unsound principle here insinuated by Dr. Butler and his colleagues, and their imprudence in not consulting the Holy See on a question so often before the source of bitter altercations in Ireland, and involving the religious interests of a whole nation. It is not true, as implied in the Declaration, that an oath may be lawfully taken which contains nothing contrary to Catholic faith; it may be still repulsive to Catholic feeling and filial duty. The terms of this oath were studiously irreverent to the head of the Church, and insulting to the faithful for whom its framers could find no more respectful name than *Papists*, and followers of the *Popish* religion. Why call upon Catholics to swear that they will keep their oaths, *though the Pope dispensed in the obligation or annulled the same?* Why ask them to take the oaths *in the ordinary sense of the words*, without equivocation or mental reservation, *and without any dispensation already granted by the Pope?* If Catholics really believe—as is clearly imputed—in the Pope's power of dispensing from *all oaths*, then they must believe also that no act or protest, however solemn, of theirs can limit that power.

Nor were the promises and threats then held forth, on which the advocates of the oath, even the bishops whose sincerity cannot

From the abundant means thus left at his disposal, Dr. Butler built the house which has been since occupied by the archbishops of Cashel. Letter of the late J. Roche, Esq., Cork, March 31, 1849, to J. W. Hanna, Esq.—"This archbishop," writes Mr. Roche, "I perfectly recollect at my father's, in his visitation of the archdiocese: a very neat elegant little man in person and manners. No prelate was ever more revered and beloved."

\* A JUSTIFICATION of the Tenets of the Roman Catholic Religion, and a refutation of the charges brought against its clergy (by the Protestant bishop of Cloyne), by Dr. James Butler, p. 57. Dublin, 1788. 8vo.

be at all questioned, chiefly relied, any sufficient justification of their conduct; because English statesmen had always recourse to these motives, whenever the aid of the Irish people was wanting to avert some unusual calamity. The prelates of Munster were, moreover, lately warned by the Apostolic Nuncio at Brussels, of the grave difficulties against a like, if not the very same, form of oath.\* They were free, certainly, not to adopt his views, but they were bound to respect them until they appealed to a higher tribunal. Instead of following this prudent course, and referring the whole matter to the Holy See, Dr. Butler took an active part in censuring all who differed from him in opinion. He condemned specially the nuncio for writing that letter, and Dr. Burke for bringing it to light again. The chief ground of the ill-advised condemnation of the *Hib. Dom.* at the Thurles assembly, seems to have been the publication of the nuncio's remonstrance. He accused Dr. Carpenter, archbishop of Dublin, of not fully and fairly stating the nature and occasion of the oath to the Holy See, and then suppressing the answer: an unfounded charge, that sowed the seeds of continuous dissensions between the prelates of Munster and Dr. Carpenter and suffragans, except Dr. Keefe, who generally supported Dr. Butler's policy, and thus unconsciously helped to widen the breach. His reply to the cardinal protector, which I shall quote at length just now, had even a worse effect, for it created a bitter feeling between the secular and regular clergy, at a time that it required the cordial union of both to frustrate the designs of the common enemy. On this account also were false rumours circulated, that the bishops of the south approved of the measure brought in by the ministry for the expulsion of the religious orders from Ireland, a calumny that was repeated after the most solemn and unequivocal denial by Dr. Butler and his friends.† In a word, nearly the whole of Dr. Butler's life after committing himself with regard to

\* See Archbishop Ghilini's letter in *Hib. Dom.* p. 925.

† I shall have an opportunity of alluding to this subject again.—See Dr. Troy's letters *passim*. He wrote to Dr. M'Mahon, Nov. 27th, 1779: "There are various rumours about the Regulars; I hope they are groundless. Your Metropolitan and Comprovincials have disclaimed any unfavourable intentions towards that body, and solemnly expressed their disapprobation of any measure conducive to their extinction in this kingdom;" to Dr. Sweetman (Dec. 5, 1779): "Our brethren in Munster were accused of patronizing the latter measure (against the Regulars), but they have in the most solemn manner declared their ignorance and disapprobation thereof." On the 5th November, 1779, Dr. Butler himself, in a letter to Dr. Troy, refers thus to the malicious report—"I find by Dr. Egan's letter, that the strange rumour about the remonstrance of the prelates of my province against the Regulars of this kingdom has taken wind everywhere. I am exceedingly sorry for it, for though there never was a more groundless one, still it may be believed by some, and create jealousies and dissensions in a country like this; but I will speak more on this head when I have the wished for happiness of seeing you."

the test-oath, was a struggle against the difficulties that followed that imprudent step.

Sept. 30, 1775, Dr. Butler wrote to the Cardinal Protector, assuring him that he was much pleased to receive the young ecclesiastic\* recommended by his eminence; regrets he cannot promise a livelihood according to his merits, because of the poverty of the diocese, and the severity of the penal laws. Such trials would be borne with more patiently if suffered in the cause of religion, but now the Irish people are persecuted for certain theological opinions which have been spread amongst them. He and his suffragans thought it right therefore to subscribe an oath which abjured these opinions. The government will now find it, he trusts, their duty to conciliate the Catholics, seeing that religion does not require of them to hold principles dangerous either to the authority of kings or safety of subjects.†

This apology, we must observe, would have more weight, if the Irish had not given often before decisive proofs of their inviolable fidelity, and if no other means of evincing it anew were still left besides subscribing an offensive oath.

April 20, 177(6?), Dr. Carpenter received a letter from Cardinal Castelli on the oath of allegiance, strongly condemning Dr. Butler's views on the same subject.‡

\* This young priest was John Jackson Murphy, a native of Dublin, and a convert. He dreaded the anger of his father, and sought refuge, therefore, in a strange diocese. In a letter from Rev. Aloysius Cuccagni, rector of the Irish College, Rome, to Dr. Butler, December 14, 1776, it is stated that John Jackson was then living with his parents in Dublin, who received him kindly not only as a Catholic but *as a priest*—an example of true affection deserving of record.

† JUSTIFICATION, p. 66, for the original letter.

‡ “Perillustrissime et Reverendissime Domine uti frater: valde me turbant, et angunt ea quæ refert Amplitudo tua de scandalis ac malis clero et populo istius regni imminentibus, ab notam juramenti formulam, quæ prælatos ipsos non modo reliquos in altercationes et dissidia conjecit, eoque majis sollicitudine premor ac dolore, quod in hac temporum acerbitate, remedia fortiora, quæ a te sinceræ pietatis ac religionis studio proponuntur, absque discrimine majorum calamitatum adhibere non licet. Quoad epistolam cujus exemplar Dmns. Archiepiscopus Casseliensis istic legendam transmisit, sive vera ea sit sive conficta, nihil usquam ponderis apud bonos prudentesque viros habituram confido; cum hominis privati opinio quacunque dignitate is fulgeat, omnino posthabenda sit iis quæ sacra congregatio cum approbatione SSmi. Dmni. nostri super hac re nuper præscripsit, ac omnibus Hiberniæ Prælati, pro eorum instructione ac norma significari mandavit; eoque majis quod auctor epistolæ nec unquam sacræ congregationi interesset nec eorum sit conscius quæ eadem discutit atque discernit. Nihil quod addam superest, nisi me Deum rogare ut amplitudinem tuam diu incolumem servet.

“Amplitudinis Tuae uti frater studiosissimus Romæ, 20 April. 177—

“JOS. M. CASTELLI.”

1777, Dr. Butler wrote to Cardinal Castelli a long explanation of his principles regarding the oath.\* Nothing could grieve himself and suffragans more than to incur the displeasure of the Holy Father, and he feels bound therefore to vindicate himself from the aspersion lately cast on him. He suspects Dr. Carpenter to be the author of the unfavourable report made to the Holy See—though a like form

\* “*Eminentissime ac Reverendissime Domine.*

“Cum nihil infelicius, nihil tristius mihi contingere possit quam ut SSmo Domino nostro, ipsiusque S. Concilio, vel etiam brevissima afferatur molestia per me, vel comprovinciales meos episcopos, non ægre feret singularis vestra humanitas, si pro fama nostra tuenda, si pro sacro sanctæ religionis bono, de quo potissimum agitur, ad amovendas suspiciones nobis iniquius impactas, omni qua decet archiepiscopum Catholicum veneratione, et veritatis studio, rescribam. Vehementi equidem dolore fuissemus affecti per Eminentissimæ ac Revmæ. Dominationis vestræ litteras, vigessimæ tertiæ Novembriis anni elapsi, si verum esset quod nobis fuerat imputatum; et sane si priores Eminentie vestræ litteras, circa formulam juramenti allegiantie ad archiepiscopum Dublinensem datas, Illustrissimus ille, semel et iterum per epistolas nostras enixe rogatus, nobis communicare dignatus fuisset, hoc idem officium, quo nunc fungimur, absque ulla mora fideliter persolverissemus. Nobis interea mœrentibus, hoc magnum quidem solamen superest, quod istam sacramenti formulam Dublinii fabricatam, expromptam, et publicatam, nec fabricaverimus nos, neque exprompserimus, nec tandem eidem morem esse gerendum censuerimus, inconsulta S. Sede, absque urgente necessitate, causisque gravissimis. Enimvero Eminentissime ac Reverendissime Domine, hæc eadem saltem quoad substantiam formula, Dublinii typis mandata, exprompta et ostentata fuit, approbata quoque, nobis insciis et inconsultis, ab ipsissimo Illus. Dublin. et a facultate Parisiensi, aliisque Academiis Catholicis ab errore immunis pronunciata, priusquam Momonienses episcopi, suorum Diœcesanorum obtestationibus, ne dicam et exprobrationibus tandem cedentes, formulam illam nihil contra fidei Catholicæ principia continere, declararent. Et certe prout apud nos notissimum est, acriter tunc compulsi erant hujus Provinciæ præsules, ad hanc declarationem quanto magis faciendam. Urgebat enim præcipue in provincia Momoniensi vicinisque diœcesibus Ossoriensi et Kildarensi, timor gravissimus, ne eadem funestissima mala, quæ paucis abhinc annis dictam provinciam luctu compleverant, scilicet falsæ Calvinistarum delationes, persecutiones, et incarcerationes generosorum Catholicorum, intentiones in ipsos nobiles simul et sacerdotes Catholicos, quorum unus ex nostra provincia ad patibulum, capitisque ac membrorum abscissionem damnatus, infamem cruentamque hanc mortem perpressus est; urgebat, inquam, hic ingens timor, ne mala similia, de novo furiosius erumperent, præsertim cum horum omnium malorum radix (nocturni scil. cœtus rusticorum, qui vulgo appellantur *Pueri Albi*) adhuc restaret, et ex eadem radice plurima scelera prioribus atrociora (inter alia crudelis occisio cujusdam justiciarii pacis, primæ notæ, noctu perpetrata) indies pullularent. Nec affirmare hæreo, Eminentissime ac Reverendissime Domine, præfatas luctuosas calamitates, nostræ pro certo superventuras fuisse provinciæ, si juramentum Catholicis propositum et ab iis præstitum, rabiem inimicorum nostrorum aliquo modo non sedasset, ipsorumque invidiosas suspiciones ac præjudicia pro ista vice, non extinxisset. Quod ergo egimus in hoc negotio, inconsulta S. Sede Apostolica, hoc non tri-

of oath was drawn up and approved by himself on a former occasion after consulting the faculty of Paris. The bishops of Munster would have consulted the Holy Father before they gave any decision, if delay had not been dangerous on account of the plot of the White Boys, for which the clergy were held responsible, and for which one of them already suffered a shameful death. The same evils would occur again, if the Catholics did not give proof of their loyalty by subscribing the oath. Influenced by these weighty motives and not from disrespect to the Holy See, the prelates of Munster felt themselves bound to accept the oath; which, besides, in their judgment contained nothing contrary to faith, nothing injurious to the interests of religion.

Of the ability with which this letter is written there can be but one opinion; as a vindication of Dr. Butler and colleagues it is not at all so successful. The professions of respectful attachment to the Holy See were unquestionably sincere, so that Dr. Butler might justly boast in the name of his brethren, "that there are no bishops in the whole world more tenacious of the Catholic faith than we are, and none more determined to adhere always to the Chair of Peter;"\* their zeal for religion was also active and disinterested; but they

buendum fore confidimus vel minimo defectui observantiæ ac devotionis erga summum Dominum nostrum Eminentissimosque patres quorum monitis adhærere nobis semper mos fuit et erit, sed potius angustiarumstrarum temporumque iniquitati, cui absque ulla mora cedendum, propter religionem populique salutem periclitantem, satius duximus, præsertim cum in dicto fidelitatis mere civili juramento nihil nobis occurreret sive fidei Catholicæ contrarium, sive in ecclesiam nostram malignanter intentatum, prout ex dicti juramenti præfatione manifeste legentibus patet, cumque opiniones per idem juramentum non propugnandæ, quantumvis probabili fundamento innixæ, omnino male sonent per totum hoc late imperium, sub regimine Acatholico et sui temporalis supremi dominii, si quod unquam, tenacissimo. Fusius hæc omnia exposui in literis ad Eminentissimam ac Revmam. Dominationem vestram alias die nempe [date blotted out] anni præteriti datis quæ utinam ad manus Eminentia vestræ pervenerint. Quæcunque in istis literis et in his continentur, ea vera esse bene novit Illus. Dublinensis, qui tamen in metropoli hujus regni et gubernii arce, extra periculum secure positus, nullam habet rem cum *Pueris Albis*, nulli similis invidiosæ suspicionis telo exponitur; bene norunt quoque quotquot alii, si qui tales apud nos, qui statum hujus regni pro suo quoque ductu ac consilio S. Congregationi aliter exponunt. Nobis interim veneratione et obsequio erga S. Sedem nulli secundis, absit jactantia verbo—nobis qui in hac re nihil gessimus, nisi paci et salutis religionis unice consulentes, liceat sperare, Eminentissime ac Reverendissime Domine, quod Eminentia vestra et Eminni Patres pro sua justitia et humanitate fidem nostris dictis sint adhibitori, in hac publica nostra causa provinciali, ac tanti momenti negotio. Dedi meo et meorum comprovincialium Episcoporum nomine Thulesiæ die — Eminentie ac Revme. Domine Eminmæ. ac Revmæ. Dominationis vestræ obsequentissimus et devotissimus et addictissimus servus ac cliens.

\* JUSTIFICATION, Appendix vi.

should not have separated themselves from the rest of the Irish bishops on this question above all others; they should not have spoken so harshly of the archbishop of Dublin, who seems to have hesitated about the lawfulness of the oath from purely conscientious motives;\* and specially, they should not have condemned, as every one who took the oath did severely, theological opinions admittedly probable, never censured by the Church, maintained by many able divines.

Whatever else could be urged in favour of the oath, and of Dr. Butler's views, will be found ably stated in *THE JUSTIFICATION*, to which we must refer again in this notice.

The White Boy outrages were undoubtedly the chief motive for taking so decided a course without consulting the Holy See. Besides the general terror which the insurgents inspired, they were particularly incensed against some of the archbishop's nearest friends. His brother, Robert Butler of Ballyragget, laboured much to preserve his own tenantry from being deceived by the White Boys; he became thereby unpopular, and was marked out for vengeance. He had to fly the country; but the parish priest, the Rev. Mr. Cahill, encouraged the tenants by word and example to arm themselves, and to send a garrison to protect the house and property of their landlord. In February, 1755, the insurgents assembled at night in great force with fire-arms; but the house was bravely defended, and several of the party engaged in the attack fell mortally wounded.

Soon after the Lord Lieutenant sent down a troop of soldiers to save the people from further violence, on which occasion Dr. Butler addressed to his Excellency the following letter:

"MAY IT PLEASE YOUR EXCELLENCY,

As my brother Robert Butler of Ballyragget's absence from this kingdom, deprives him of the honour of testifying his acknowledgments to your Excellency as speedily as he would desire for the late gracious mark of your attention to his tenants; your Excellency will not be surprised if one as nearly related to him as I am, and as deeply penetrated as he can be with so signal a token of your Excellency's protection to his town, take upon me to represent to your Excellency in his name, and in my own, the thanks so justly due on

\* Dr. Carpenter subscribed the oath himself in open court, but apparently after anxious deliberation, and after consulting some trusted friends. Dr. Troy's opinion had probably much influence with him—see his letter to Dr. Carpenter (Kilkenny, October 28, 1778). All the bishops of Leinster took the oath except Dr. Sweetman, who could not be induced thereto. In a letter (Kilkenny, April 1, 1779), to Dr. Sweetman, Dr. Troy says: "Last Monday I took and subscribed the famous Test Oath in the court-house of this city before the Attorney-General Scott. The major part of my clergy, and a prodigious number of the laity went through the same ceremony. *I fancy you will think this an odd preparation for Easter.*"

this occasion. The troop your Excellency was pleased to order to secure Ballyragget against any further attacks from these deluded wretches, was a most convincing proof how much you applauded the patriotic spirit of its inhabitants; and though I am persuaded my brother's tenants were influenced by no other motives than a real sense of their duty and zeal for the public tranquillity, yet they can't but deem themselves exceedingly flattered and highly honoured with the notice you were so gracious to take of their behaviour. Your Excellency may be assured that these same sentiments of obedience and zeal for the good of their country will always be most precious to them, and that my constant endeavour and study will be to cherish and impress them deeper and deeper in the minds of those committed to my care: that though they differ from the rest of his majesty's subjects in their religious tenets, they will never differ from them in their loyalty and submission to government. It is in these sentiments I have the honour of subscribing myself, with all respect,

"My Lord,

"Your Excellency's most humble and most obedient servant,

"JAMES BUTLER.

"Thurles, near Cashel, March 3, 1775."

Lord Harcourt wrote (March 24,) same year to Mr. Butler, thanking him for the exertions made by himself and his brother (the archbishop) in opposing the White Boys' combination:

..... "I should do great injustice to your brother, if I did not inform you that his conduct and behaviour has been extremely meritorious, for influenced by his example and instigated by his admonitions, Mr. Cahill took a most active part in persuading the inhabitants to associate for their mutual defence. .... However proper the behaviour of your people has been, I am persuaded it must be in a great measure owing to your prudence and spirit that they ventured to take so decisive a part, and to resist that lawless rabble, that have been guilty of so many outrages. I shall take care to do justice to your behaviour, where every man of honour would wish to have it fairly represented, and where I am sure it will meet with every mark of approbation. I am, Sir, with the most extreme regard,

"Your most humble and obedient servant,

"HARCOURT."

In 1775 also, Dr. Butler published a long address, calling on the members of the White Boy society to be reconciled to God, to the Church, and their pastors, and vindicating the people who had associated in self-defence from the charge of wanton cruelty. "Were the insurgents," he asks, "to expect that the associated party would tamely surrender their landlord's house, and their own persons, into the merciless hands of sworn rioters, drunk with premeditated mischief as well as with liquor? Would any one of these wicked plunderers have suffered himself to be either taken or maimed without making a bloody resistance? Why then would they blame in others an act of self-preservation? Now I shall ask at whose door is to be laid the blood of these unfortunate creatures who perished in that action? Is it

at the door of those who for many weeks before stood only upon their defence, and passed many a sleepless night in direful apprehension? No; holy Church will not allow such notorious slander to be propagated through the country. This effusion of human blood must lie at the doors and fall upon the heads of those wanton profligates only, who were the mainspring of this iniquitous combination."

In the same address, the courage and zeal of Mr. Cahill, and Mr. Butler's attachment to the religion of his fathers, "as one of the very few who have held fast to their faith in time of strong temptation," and his generous contributions to the church, are highly commended. "The very many hundreds of pounds which their landlord, one of the first gentlemen of landed property in the county, has expended here for the maintenance and propagation of the Holy Catholic religion in this neighbourhood, ought naturally to produce feelings of shame and remorse in the hearts of all those who have proved ungrateful to him; and as he might have converted this large sum of money to worldly purposes, so he may, were it consistent with his modesty, challenge any single Roman Catholic gentleman or nobleman in this kingdom to show such a monument as this chapel is of religious zeal, which as St. Mary's parish of Kilkenny well knows, he did not confine merely within his own estate. May you all then, Christian people, deserve still more of his goodness, by conforming your conduct to the laws of the land, and to those of your Church, which is still ready to embrace you with open arms, if you will but conceive a deep sense of your own misery, and return like the repentant prodigal to your spiritual father, and to the communion of your holy mother Church."

Towards the end of 1755 the clergy of Cashel and Emly were instructed to read from the altar, the following pastoral:

"The scandal and desolation which those daring and obstinate insurgents called White Boys, have caused wherever they have swarmed, make us hear with the greatest uneasiness, that they renewed their disturbances in that part of our diocese which lies about Fethard and Killenaule. We tremble to think that any of the people committed to our care, whose souls are as dear to us as our own, should be exposed to the contagion of their riotous example, and to the dreadful danger of herding with a gang of wretches, who seem to be heaved out and spirited up by Hell to disturb all peace and tranquillity; to set all laws at defiance, and bring eternal shame and disgrace on whatever country or religion would abet them. Deluded victims of the Devil, who, whilst they serve every purpose of his hatred to mankind, and glory and riot in all their works of darkness, live the execration of all well-thinking persons, and leave to posterity the shocking remembrance of their perversity and ignorance. In a visit we made last July to that neighbourhood on the first symptoms we discovered of this rebellious disposition, we exerted all our zeal to prevent its spreading. We endeavoured to set forth in the liveliest colours, the danger of encouraging a refractory mob. We conjured our people by all we thought the most affecting, to show the real spirit and true zeal of their religion by a peace-



able deportment, and steady obedience to the laws of their country. And to leave nothing unsaid that our paternal tenderness could suggest, fearing that some of them might be awed by the wicked oaths they had taken, we explained to them the nature of oaths. We represented to them that they were the most sacred and inviolable ties of religion; that they were never to be taken but when God's honour, our own, or our neighbour's good required; that to imagine they could serve any evil purpose was mistaking their nature, perverting them into links of wickedness, and calling on God to give sanction to what his infinite holiness abhorred. But since contrary to the public assurances they gave us, of their readiness to comply with our desires, some of them have been so hardened and steeled to every feeling, as to break through the most solemn promises; that we may preserve a people so dear to us from utter destruction, that their souls may be saved in the last avenging day, we think ourselves obliged, in imitation of St. Paul, to deliver all those who persist in disobedience to the power and tyranny of him whom they choose to serve.

"We therefore, in the name of Almighty God, and by the authority of His Holy Catholic Church, do excommunicate and anathematize, and order you by these presents, and each parish priest of our district in these parts haunted by White Boys, to declare excommunicated and anathematized all and every one of our flock, who after the due publication of this our letter, shall join, assist, or countenance these audacious rioters. We also declare, to render this our sentence still more terrible, that whilst they remain inflexible in wickedness, whilst they brave every effort of our pastoral authority, our prayers and those of our clergy and the faithful of our diocese will never ascend to heaven, but to beg of God to chastise them in all the severity of His anger, to pour down upon their rebellious heads all the phials of His wrath, to torture them night and day with remorse and anguish, that forced to bend under the weight of His omnipotent hand, they may grant to the terrors of His infinite justice what they refused to the endearing tokens of His love, and pay the homage which He requires of duty and obedience to the voice of their religion and the laws of their country.

"Yours in J. C.

"JAMES BUTLER.

"Given at Thurles, this 12th day of  
October, 1775."

"P.S.—As we have been informed since writing this letter, that several gentlemen of the county have been robbed of their firearms by these infatuated miscreants, we do hereby declare, that all such as do not immediately restore them, will incur the above censures."

At a time that the least disturbance could be easily magnified into a charge of sedition or treason; when rumours of foreign invasion were widely circulated, and the conduct of the Irish Catholics, who had little reason to be pleased with their rulers, was narrowly watched, Dr. Butler and his colleagues found it necessary to profess frequently their attachment to the throne, and to offer all their influence in resisting any attack on the integrity of the empire. They were among the first to congratulate the king on his fortunate escape from the hands of an assassin, and to assure him that the disturbances which

lately occurred in some districts under their spiritual care, were not the result of any disaffection to his Majesty's person or government. They presented, indeed, on every favourable opportunity, loyal addresses to the king, and to his representatives in Ireland. Of these documents, we can only notice one or two more immediately connected with the subject of this memoir, which show plainly enough the general import of all. The following address was presented to John, earl of Buckinghamshire,\* Lord Lieutenant-General, and General Governor of Ireland, and signed by the bishops of Munster.

"MAY IT PLEASE YOUR EXCELLENCY,

"We, his Majesty's most dutiful and loyal subjects, the principals of the Roman Catholic clergy of the province of Munster, beg leave on behalf of ourselves and of the rest of the clergy of our communion in that province, humbly to lay before your Excellency the most sincere sentiments of our inviolable loyalty and attachment to his Majesty's royal person and gracious government. Directed by our religion, and attached by the warmest gratitude, we have always considered it as our indispensable duty to propagate by our example and instructions these sentiments amongst those of our communion, and we think it incumbent upon us to redouble our zeal in circulating them now, when a foreign enemy by threatening the peace of these nations, calls forth the exertions of every faithful subject in behalf of the best beloved of sovereigns.

"We experience with heartfelt joy that our earnest endeavours to acquit ourselves of this duty are anticipated by the forward dispositions of his Majesty's Roman Catholic subjects of Ireland; they are ever ready to manifest as far as they can, consistent with the restraint under which the laws place them, their unfeigned allegiance and fidelity to his Majesty, and their utter abhorrence of every attempt on his Majesty's sacred person, crown, and dignity.

"Impressed as we are with the deepest acknowledgments of the indulgence with which we have been treated since the accession of his Majesty's family to the throne, and submissively hoping that the long severe and patient sufferings of the distressed but loyal Roman Catholics of Ireland will in these humane and enlightened times successfully plead in their favour, we shall not cease to put up our fervent prayers to the Almighty, that his Majesty's paternal cares for the good of his people may be blessed with success; that peace, confidence, and union may be restored throughout the British empire, and the crown of these realms, undisturbed by foreign or domestic enemies, may long and happily be worn by his Majesty, and descend to his latest posterity, inheritors of his royal rights and princely virtues.

"Whilst conscious of our sincerity, we presume thus to avow our inviolate and submissive affection to our august sovereign, we wish in all humility, and with the strictest truth, to assure your Excellency, that we would not correspond with the dictates of our feelings unless we availed ourselves of this opportunity to express to your Excellency that we heartily join with the rest of our fellow-subjects, in being convinced of the happiness it is for this kingdom to be governed at this critical time by a Lord Lieutenant, whose benevolent and

\* Appointed Jan. 25, 1777, succeeded by the Earl of Carlisle, Dec. 23, 1780.

prudent conduct proves the uprightness of his heart, and the clearness of his understanding; the name of the Earl of Buckinghamshire, as it deserves to be, so it will be in perpetual benediction with the people of Ireland."

An address of the clergy and gentry of the diocese of Cashel was read and presented by Dr. Butler to the Earl of Westmoreland on his visit to that city, Thursday, Oct. 28, 1790.

"MAY IT PLEASE YOUR EXCELLENCY,

"The benevolence and affability which mark your Excellency's character, encourage me to approach your Excellency with all confidence, and most respectfully to express in the name of the Roman Catholic clergy and gentry of the diocese of Cashel, the pleasing sense we feel of the honour done to the diocese by the presence of your Excellency and of the Countess of Westmoreland in this city.

"We humbly beg that your Excellency and your gracious consort will be pleased to accept our warm congratulations on your arrival, and that your Excellency will graciously permit us to avail ourselves of this much wished for opportunity to renew to the representative of our truly beloved sovereign, the inviolable and unreserved sentiments of loyalty and attachment to his Majesty's person, family, and government, which have uniformly influenced, and shall ever influence our conduct—shall invariably unite our most earnest wishes and prayers for the prosperity of your Excellency's administration, and animate our constant and most zealous exertions to inculcate by word and example obedience to the laws of the country, and to promote in every other respect, as far as we are able, the happiness of all our fellow-subjects.

"Delivered and presented by the

"REV. DR. JAMES BUTLER,  
OF THURLES."

I have before me copies of addresses presented in almost each of the intervening years from 1778 to 1790 to the king or viceroys by the bishops of Munster, or by all the prelates of Ireland, all breathing the most sincere attachment to the royal family; yet these exertions did not save them from being suspected of disaffection, and from false charges of sedition. Against Dr. Butler himself, who was ever foremost in inculcating obedience, informations were sworn, accusing him not indeed of treason, but of bringing into contempt the clergy of the established church, and of abusing his influence and position to excite discontent amongst the people.

The first notice he had of these charges was through the Attorney-General Scott, who wrote him immediately a private letter on the subject. Of course Dr. Butler could only reply, as no special grounds of complaint were mentioned, that he was utterly unconscious of any crime, that the whole tenor of his conduct should be a sufficient answer to the worst calumnies against him; and that he was ready at any moment to meet his accusers face to face. On receipt of this answer, the Attorney-General sent a full statement of the accusations, which is inserted here, with Dr. Butler's vindication.

"DEAR SIR,

"I could not have acknowledged your favour sooner with any degree of satisfaction to you or myself, or your letter should not have remained a day unanswered. Upon the strictest inquiry into these charges that were directed against you, they amount to this—that you with more zeal than was necessary, which your accusers call furious bigotry, threatened all persons of your persuasion with excommunication, who should dare to be married by a Protestant clergyman; that you encouraged all manner of insult and persecution against some persons of the name of ———, who became Protestants, and lived in Thurles; and that by exacting protestations and all marks of humiliation from those of your own church upon the most public occasions, the established church appeared in your diocese scarcely tolerated, whilst the Church of Rome assumed uncommon usurpations in show as well as in substance; and that to carry this superiority to its full extent, you availed yourself of all your family influence. I had an information said to be sworn before a Mr. Lodge, nearly to this effect. Mr. Garnett, the clergyman, is certainly the man most active in these complaints against you, and if the facts are ill-grounded, they are very wicked and abominable calumnies; if on the contrary the facts justify the complaints, your conduct has been illegal and reprehensible. I had been so repeatedly worried on this subject, that at length, specially since I saw your letter, I told Mr. Garnett I had nothing to do with the business; that I had a great family regard as well as personal respect for you, but that I did not desire to screen you from censure if you deserved it; and therefore I desired that if you had done wrong, the matter might be publicly investigated, and not have your good name whispered away, or your indiscretion palliated by favour. I have said this much only to put you upon your guard, for you know very well that perseverance in enmity if not attended to, sooner or later will succeed. *I do not find from any other quarter the least insinuation against the discretion, benevolence, and becoming conduct which every man expects from you, who knows either your family or your character;* and therefore your task in stopping this single man's unkindness will be a matter of less trouble, and let me add, that this is a time when in matters of religious censure, a man of less wisdom than I know you possess, will see an obvious necessity of preserving the most guarded and temperate reserve, and not suffer either the fools or knaves of the world to do you more harm, than the best and ablest men can correct. I hope I need not repeat my assurance of sincere good-will and esteem for you, and indeed for all your family and connexions.

"Being, dear sir, very truly,

"Your most humble and obedient servant,

"JOHN SCOTT."

"To the Right Honourable the Attorney-General.

"October 6th, 1780.

"DEAR SIR,

"My earnestness to acknowledge your kind attention in making known to me the charges the Rev. Mr. Garnett brought against me, and to assure you of the absolute falsehood of the facts he grounded them on, is one of the most convincing proofs I can give you of my sincere desire to preserve every share in your esteem that I have hitherto enjoyed, and my unwillingness to lie one instant under any suspicion that exposes me to forfeit that happiness, and mark me out a most dangerous enemy to my king and country. Had government

been as well acquainted with the illiberal narrow-minded author of said complaints as most people are in this neighbourhood, certain of the deserved contempt he would meet with, I would rest satisfied with the consciousness of my own innocence, and not take the least pains to refute them; but as I find he artfully concealed his invidious designs under the specious gloss of zeal, and succeeded so far as to raise jealousies of me in the eyes of government, which seemed in a manner to counterbalance the most solemn assurance I even studied to give since I came to this kingdom, of my allegiance and fidelity, I could not without offering violence to every feeling of honour and religion, refuse exerting all my endeavours to vindicate my character.

“When I had the honour of writing to you before, being a stranger to the charges that were levelled against me, I could only assert my innocence in a general manner, by appealing to the whole tenor of my conduct since I came to Ireland; but since you were so very kind, I am empowered thereby to answer each in detail, and to expose the falsehood of them with a sincerity deserving of the confidence you honoured me with. And first, sir, nothing can be more false than his accusation of my denouncing excommunication against such of my religion as addressed themselves to a Protestant clergymen for marriage. I defy the most malicious person to show an instance of such a proceeding. For it has ever been my constant maxim, as I know full well the laws of this kingdom acknowledge no power in persons of my position to inflict censures, never to have recourse to such severities but where I was certain the civil power would both countenance and applaud my conduct in doing so. It was in this persuasion that I ventured to denounce them against the White Boys, and against all those who would favour or join these deluded rioters, and from the same assurance of its being agreeable to government, have I often threatened them to enforce obedience of the common people to their clergy, and to engage obstinate and refractory sinners to renounce their evil ways. But never, never, sir, have I availed myself of such threats when there was the least shadow of giving offence by so doing to the clergy of the established church, which inevitably would have been the case had I been guilty of the indiscretion Mr. Garnett lays to my charge. The second accusation brought against me of encouraging all manner of insult and persecution against persons of the name of ——— is not less false, but still more vile and malicious. The persons whom he alludes to are two girls of this town, whose father kept a shebeen house near the chapel. One of these girls during the stay they made at the camp last year near Clonmel, smitten with a soldier she saw there, changed her religion as soon as her father died to marry him. Her conversion, if I may call it such, entitling her to Mr. Garnett's favour and several marks of his generosity, very acceptable to one in the state of misery she and her sister were in after her father's death, who scarce left anything but debts and distress behind him, tempted the other sister to follow her example, whereby both became proselytes of Mr. Garnett's who made no small parade of them both here and in the newspapers of Clonmel, in which he had them published as converts of his under the name of the two Misses ———. These two girls, however, in quitting the religion they had been born and bred in, did not quit that virulence of language they had long been noted for in this town. Though they had been kept from the sacraments nearly three years on account of the scandal they gave in the parish by their abusive and injurious language, and their repeated quarrels with an aunt of theirs, and several other of their acquaintances, still

nothing could stop their tongues: these they have, even since they conformed, exerted to no small advantage to themselves, in silencing the importuning clamours of their father's creditors. And it is to their tongues, to their unhappy circumstances and violent tempers, Mr. Garnett ought to impute whatever affronts they may have met with, and not to their changing their religion. As for my interfering with them, or encouraging persons to insult or persecute them, nothing was more foreign to my thoughts. It was below me, sir, even to miss such insignificant persons from my flock. I left them, therefore, entirely to Mr. Garnett to make the most of them.

"Next comes his charge of prostrations and humiliations, which he says I exact on the most public occasions, and which cast a cloud on the established church. By these expressions I know not what Mr. Garnett means, unless it be the custom established in the extent of my care, of obliging all rioters and notorious obstinate offenders in any part of the diocese of Cashel and Emly to come to me as their chief ecclesiastical superior for pardon before they can be admitted to the sacraments; but how this regulation, which is chiefly intended to prevent quarrels and to preserve the peace and tranquillity of the country, or any other practice of the Roman Catholic religion carried on only in the narrow limits of our chapels can lessen the dignity or encroach on the privileges of the established church, I believe no one but Mr. Garnett will discover. I don't deny, sir, but I have and love to see performed the ceremonies of religion with as much decency as possible, both for the honour of the God to whom they are referred, and to impress on the common people's minds every awful respect for the duties of religion. And is not this, sir, consulting the good of the state? For as it is religion only that can give sanction to all human laws, the more subjects are thought to revere the dictates of the religion they profess, the more careful will they be to observe all the laws of the country they live in.

"The last part of Mr. Garnett's impeachment, which is, that I avail myself of my family influence to carry the superiority of the Roman Catholic religion to its full extent, is quite a mystery to me. There is to be sure an advantage arising from being born a gentleman, that such a birth becomes after all an additional title to respect, and is sometimes a secondary motive to engage me to behave in that benevolent, liberal, and upright manner, which nothing but envy can censure, and calumny seek to obscure. Of such an advantage I may perhaps have so far availed myself, and happy for me that I did, since such a plan of deep-laid malice was meditated against me. I am exceedingly glad to hear that you have not received the least insinuation against me from any other quarter, as I would be very sorry for my own sake, and for that of others, that there was a second person of Mr. Garnett's stamp in Ireland. This is no time to be planning persecutions: peace and harmony are what all should seek; they have been the object of my labours since I came over to Ireland—to promote them amongst my own people and their fellow-subjects. Did I not appear foremost in recommending the late oath of allegiance, and encouraged both by word and example all the Roman Catholics to take it? This is well known both at home and abroad, and it is a matter of no small surprise to all who heard of my activity on that occasion, to see that after all my exertions to prove my loyalty to my king, and my good wishes to my country, and giving the most sacred pledges of my sincerity, I have been the first singled out as the person to be most suspected by government, and that it has been a matter of debate amongst the heads of the administration, whether I was to be deemed a

faithful and loyal subject, or a treacherous and most dangerous enemy. Held out in such a degraded light to the eyes of the whole kingdom, for the accusations of Mr. Garnett and the alarm of government, judge what I must naturally feel; and really such are my sentiments on the occasion, that if all I have hitherto done to gain the confidence of government, and all that I have now the honour of writing to you be not sufficient to outweigh Mr. Garnett's charges in the opinion of the administration, I desire nothing more, if you approve of it, than to have the whole of my conduct brought to public trial.

"At the same time, sir, I cannot forbear in concluding this letter, to repeat again to you, that your friendly attention in this unexpected and undeserved attack shall never be forgotten by me; and it is in the warmest sentiments of gratitude I have the honour to be with all respect your, dear sir,

"Ever obliged and devoted servant,

"JAMES BUTLER."

In our age it certainly seems strange, that a Catholic bishop should ever have been charged with preventing his own flock from seeking the ministry of a Protestant clergyman to bless their union, and with carrying out fully, at least in private, the rites and ceremonies of his own church; and stranger still, that such charges should cause uneasiness to the accused or alarm to the government. But we must remember that the spirit of the Irish prelates and people was at that time bowed down and almost broken by continual suffering; that libellers and informers like Garnett, who sought place and preferment by canting and furious zeal, stopped at no calumny against the persecuted race. Hence the Catholic prelates, extremely cautious in avoiding the least ground of complaint, sometimes excused acts which needed no apology, while their enemies sought every pretext by raising unfounded prejudices against them, to resist further concessions. These bigots were sorely incensed at seeing an Attorney-General write thus familiarly to a popish priest, and dare to question the truth of informations sworn to by a dignitary of the established church. They felt keenly that times were much altered within their own memory, and their day almost past. Hence they strained every nerve to excite distrust on the part of the government against the best disposed of their Catholic fellow-subjects.

In this instance Dr. Butler's disloyalty was spoken of throughout the entire country; and his conduct pointed to by fanatics as proof that no faith was to be kept with Catholics. No one, his enemies boasted, held a higher position—and could be better entitled to the confidence of government—yet even he is detected in a foul conspiracy. It might have been expected under these circumstances that the whole dominant faction would with one voice, have demanded a searching investigation into that great crime; but they were too prudent to bring forward an accusation founded on malicious reports which they knew could be refuted by the clearest evidence, and the most unexceptionable

witnesses. Dr. Butler had therefore only to endure for a time the vexations which every good subject feels, whose integrity is suspected without reason: he was not arrested or arraigned.

In connection with this correspondence, and as an indication of a better feeling, may be mentioned an important measure which occupied much of our archbishop's thoughts. It regarded the difficult question of usury, and the power of the state to give a just title in conscience to legal interest. His views which are stated fully in a letter to Mr. Edmund (afterwards lord) Perry, speaker of the House of Commons, contain nothing new—nothing that might not, and indeed was not urged a thousand times over by the defenders of usury in other states of Europe. Commercial progress would be impeded a little more perhaps in this country; but a mere difference of degree did not touch the vital question, which was whether serious injury to individuals or the public even, would justify the constant violation of a divine law, so as to make that law entirely nugatory.

The second chief argument, founded on the declaration of government, was also well answered. The power of the state however supreme in temporal matters, is still limited by the law of God. If men are impatient to be rich, they must not have recourse to fraud, gaming, or immorality; and no human law can sanction such means of acquiring wealth. Thus, too, it may be easier to increase our gain by lending money than by driving a team, but not so honest, nor so much in accordance with the spirit and letter of the old or of the new law. We are not, however, arguing now against legal interest; we merely wish to show that Dr. Butler's arguments are not put forward for the first time, or decisive of the real question at issue.

"SIR,

"Though no one can be more convinced than I am, from your unwearied attendance to the welfare of this kingdom, that a proposal any way conducive to that great object of your wishes will ever pass unnoticed by you; yet as the very many important concerns which cannot but occupy the mind of one so intent on promoting the public good, and so deservedly high in the confidence of government, may not always permit the same attention to every particular measure: apprehensive on that account, lest what I mentioned to you last February on the subject of legal interest might have escaped your remembrance, I take the liberty now to call to your mind what I then had the honour of telling you was the prejudice trade suffered in many parts of this kingdom from the sentiments of several of the Roman Catholic clergy, who having studied in France, Italy, Spain, and Germany, countries where legal interest is no otherwise established by the laws of the land, but as a certain standard to limit the exactions of those who, measuring the loss they suffer or the danger their money is exposed to in their lending it by their own feelings, might demand exorbitant compensations, and where the casuists and divines of course allow no one to take legal interest but as an indemnification for loss sustained,



or some extraordinary danger the money is exposed to by the loan, extend the same doctrine to this kingdom, and thereby deter numbers from placing their money at interest. Often, sir, have I sought in reasoning with them upon it to open their eyes to the manifest misapplication of such principles to this kingdom, and for that purpose have frequently represented to them how different the political state of Ireland from that of France, Spain, Italy, or Germany. In these kingdoms commerce is, or at least has been for many years, greatly discouraged. Any nobleman in these countries who took to commerce instantly forfeited his right of nobility, and both he and his family were deprived of all claim to many places of honour both in church and state. Whereas in England and Ireland commerce is the main support of their political existence, the very life of the state, and from its being acknowledged such in said kingdoms, the legislature whose duty it is to attend to the life of the state, knowing that a constant circulation of money is as essential to the life of a commercial body, as that of the blood to the life of the animal one; in order to promote said circulation of cash in every part of the kingdom by inducing individuals to let their money circulate in the currency of trade, have established legal interest as an encouragement for that purpose, as a kind of premium for a loan (as Johnson defined interest in his English Dictionary), and thereby has made it as conscientious in this kingdom for every lender of money to take the interest allowed by law, as it is for him to take any other premium granted by parliament for the improvement of agriculture or the manufactories of this kingdom, when he has complied with the conditions specified by parliament for meriting the reward. But then to these reasons they answer: If legal interest be granted in this kingdom as a premium for a loan, why do not the acts of parliament relative to legal interest speak in as clear and as positive terms as they do in granting other premiums? Why are they not expressed in a different manner from what they are in countries where legal interest is only established as a compensation for a loss suffered, or for an extraordinary danger incurred. A satisfactory answer to this cannot be given as the acts now stand with regard to legal interest, all which from the first to the last are worded in a negative manner, such as "no one can take more than a sum not exceeding 6 per cent." Nor can ever a satisfactory answer be given, so as to quiet men's minds, so as to bring about an uniformity of conduct amongst the Roman Catholic clergy in what regards legal interest, till such a time as parliament be pleased to issue an act whereby it will be declared that the intention of parliament in its acts on legal interest was and is to grant it and authorize every lender to take it as a premium for the loan he made. Such a declaratory act as this you may depend on it, sir, will cause a deal of money to flow into the channel of trade, will render thereby essential service to the kingdom, and I may add, will be a great ease to the consciences of several of the Roman Catholic communion. I have engaged a long time your attention by the length of this letter, but my motive in writing it, the friendship you have pleased to favour me with, and above all your constant zeal for the public good, secure me against any apprehension of its being disagreeable. I have the honour to be, with every sentiment of respect, sir, your very humble and faithful servant,

"JAMES BUTLER.

"Thurles, April 17, 1784."

*"Letter of the Speaker in reply to the preceding.**"Dublin, 22nd April, 1784.**"SIR,*

*"The archbishop of Cashel was with me when I received the favour of your letter, which I communicated to his Grace, and his Grace was pleased to undertake to bring in a bill for the purpose you mentioned: he has accordingly done so, and it has already passed the lords, and will come to our house to-morrow. I hope it will answer your good intentions, and remove all scruples upon the subject.*

*"I am, Sir, with much esteem,**"Your faithful and obedient servant,**"EDMOND PERY."*

Dr. Agar also wrote to say, that the Speaker consulted with him on the same question:

*"A subject which I recollect you were kind enough to mention to me, and on which we had some conversation when I had the pleasure of seeing you in this city. In order to remove the doubts and scruples which you mention, a bill was prepared, which I presented to the House of Lords a few days since, and of which I now enclose a copy. It has passed this day the House of Lords, and is now before the Commons, where I believe it will not be altered. This bill, will, I hope, answer all your wishes and expectations; it was drawn expressly for that purpose, and seems to the Speaker and me to correspond correctly with the ideas contained in your letter. . . . It will make me happy to hear that this bill meets your wishes. I have the pleasure to inform you that I had the honor of dining with your brother and Mrs. Butler yesterday, and that they are in good health. Mrs. Agar desires me to present her best respects to you with those of, Sir, your very faithful and humble servant,*

*"C. Cashell.**"Stephen's Green, April 23, 1784."*

In the midst of religious and political strife, we so seldom meet with the least trace of such kindly intercourse between the opposite parties that the reader will be pleased to have the few instances that do occur faithfully recorded.

Oct. 15 (16), 1777, Dr. Butler presided at the assembly of the Munster prelates, held at Kilworth, Co. Cork, which established a uniform system of discipline throughout the province. The decrees, nearly all drawn up in English, forbid offerings for Masses in the tribunal of penance, Sunday patterns, night dances and balls, profanations at wakes, riots and quarrels at fairs and markets; and point out the proper method of obtaining dispensations. He assisted at several of their meetings in the city of Cork—one, July 15, 1775, which resolved to receive the law of Trent annulling clandestine marriages, and to supplicate the Holy See for the abolition of the

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fast on the vigils of the retrenched holydays;\* another, July 16th, 1782, spoken of already for some of its acts in terms of just reprobation; and a third, June 26, 1786, to which we must refer at greater length in this place.

At the first outbreak of the Right Boys, their efforts were directed against the tithe system exclusively, and the exactions of the Protestant clergy. But by degrees a cry was raised against all ecclesiastical endowments, particularly in those districts where some pastors had been censured (not unjustly in a few instances) for exacting too high dues, or where they incurred public odium by firmly resisting the violence of illegal societies. At a general meeting of the disaffected Catholics held in Cork, (March 29, 1786,) it was resolved, that petitions should be at once sent to their ecclesiastical superiors, praying that an impartial and strict inquiry should be made into the conduct of the Catholic parish clergy of the city and county; and that the committee named before on the 16th instant, should take such measures as they thought necessary for the redress of the grievances of which the laity complained. This committee applied by letter to Lord Dunboyne, then bishop of Cork, and sent four delegates to wait on Dr. M'Kenna, bishop of Cloyne. Lord Dunboyne considering some of the complaints not unreasonable, drew up useful regulations which he ordered to be inserted in the local papers, and then proceeded to Dublin apparently for the purpose of consulting the archbishop of that see. The printer, who had charge of the MS., fell sick soon after his lordship left Cork, and the pastoral remained unpublished. Instructions were, however, given to the vicar-general, which tended much to establish peace in the diocese.

Dr. M'Kenna paid little attention to the remonstrance; but when alarmed by the threatened defection of whole parishes, he appointed as commissioners Dr. Teahan, afterwards bishop of Kerry, and Fathers O'Leary, Callanan, and Lounergan (three distinguished regulars), to inquire into the charges against the parochial clergy. For prudential reasons Father Lounergan declined acting: the others did all that could be expected from men of such rare foresight and piety to remove the causes of scandal and disunion. But Dr. M'Kenna was old, infirm, and irresolute, and dreaded perhaps too much the evil effects of concessions, which might be easily spoken of as wrung from weakness and fear. The priests also who were most obnoxious to the people, and most averse to change, had greatest influence with him. Hence, notwithstanding the repeated warnings of his best friends, no measures were taken to allay the discontent which prevailed widely throughout his diocese.

The Cork committee determined, as a last resource, to appeal to Dr. Butler, and on the 25th April, 1786, signed a petition to his

\* See Appendix A, where the decrees are explained more fully.

Grace to hold a visitation in Cork, "as the only means of remedying the past and preventing future evils." Dr. Teahan recommended a more prudent course. At his suggestion Dr. Butler convened the bishops of the province, sought their advice and co-operation, and thus gave additional weight to their decisions. The meeting, as we have said, was held in Cork, June 26, 1786. It was attended by the archbishop himself and all his suffragans. After mature deliberation on the best means for suppressing the disorders which threatened the welfare of the Church in some parts of the province, the prelates assembled resolved unanimously to issue a pastoral address, the chief regulations of which were:—

1. They requested two clergymen greatly disliked by the people, to resign their parishes into the hands of the bishops.

2. They promised to make further inquiry into the grounds of complaint after returning to their respective dioceses, and to correct any abuses.

3. They condemned the rigorous exaction of dues under threat of withholding the sacraments, as disgraceful to the Christian priesthood.

4. "As the poor complain chiefly of marriage fees and dispensation money, though these are fixed so low that they cannot in reason at this day be complained of; yet where it may be inexpedient to demand even so much, we will recommend, and we will insist upon it, that so much will not be demanded by our clergy. The other dues will be found upon investigation by any one of candour and discernment, to afford none but a bare and scanty subsistence to the clergy."

5. The clergy were recommended to discourage costly entertainments provided by their parishioners, and to content themselves with such frugal fare as their flocks would cheerfully provide.

6. Priests are cautioned to avoid altar denunciations as dissonant to the mild spirit of the Gospel.

7. "Whilst we thus resolve to do away at all times on our part, and as far as our influence can extend, with every just cause of complaint, we think it our duty to admonish such of our people as may stand in need of our admonition, that they cannot without manifest and great offence of Almighty God, nor without being wanting to what they owe to society, assume to redress themselves in real or imaginary grievances by resorting to *riotous, illegal* meetings, or of attempting to bind themselves by oaths, rash and iniquitous, to matters prejudicial to the public peace, injurious to individuals, and such as must be eventually ruinous to themselves, by drawing down upon them the vengeance of Heaven, the just punishment of the laws, and the resentment of those entrusted with the execution of them: such oaths, far from being obligatory, must be deemed heinously sinful in those who take them, and doubly

criminal in those who obstinately persist in the resolution of observing them.\*

Signed,

"JAMES BUTLER,  
"DUNBOYNE,  
"MICHAEL PETER M'MAHON,  
"MATTHEW M'KENNA.

"WILLIAM EGAN,  
"F. MOYLAN,  
"DENIS CONWAY."

We have alluded more than once to the different views held by some of the bishops on many questions that, during Dr. Butler's life, distracted the Irish Church. It is now time to relate a few of the events, which since his accession divided the bishops of Munster and Leinster especially. The reader must not suppose that there was any strong personal feeling or abiding dislike opposed to charity on either side. These holy men held, no doubt, opposite opinions on the most important subjects regarding the interests of religion and the welfare of their people; but in private intercourse they were meek, conciliating, and like SS. Stephen and Cyprian, the peace of Christ overcame in their hearts; of their love and respect for one another, many proofs might be adduced from the private correspondence to which I must refer chiefly for the accounts of these differences.

The first cause of dissension, as I have observed, was perhaps the imprudent condemnation of Dr. Burke at the Thurles assembly, July 25, 1775. If any man had a claim to be mentioned with reverence by Irish ecclesiastics, it was the amiable and learned author of the *Hibernia Dominicana*. Yet the prelates of Munster speak of his principles with aversion and disgust: how unfairly will appear more fully in the account of his own life. I will only observe here, that on the 19th September, 1775, just within two months after the meeting which consigned his book as tending "to weaken and subvert the allegiance, fidelity, and submission due to his Majesty," Dr. Burke issued a pastoral denouncing the detestable outrages of the White Boys in these terms. "They act," he says "directly in opposition to the principles of our religion; nay, in opposition to the law of nature, made clear by the very light of reason. . . . *They ought to be amenable to the laws of the nation, and not provoke the government which is mild beyond expression. I command them to behave as peaceable subjects, and to deserve a continuance of that lenity and moderation we experience many years past.*" This is not surely the language of an incendiary who sets class against class, or of a fanatic who holds no faith with heretics. Yet the very same spirit breathes through all the pastoral instructions which Dr.

\* This is a fair abstract of the Pastoral, which may be seen at length in the JUSTIFICATION, Appendix I. The history of these disturbances I have taken chiefly from Dr. Teahan's letter to Dr. J. Butler. Cork, April 24, 1786.

Burke ever published. Besides, if he, a prince of the Church, acted unwisely in publishing that book, he must answer for it, not to the prelates of another province, but to the supreme vicar of Christ on earth.

The appointment of bishops was another ground of difference. Regulars of every order, Dr. Butler always held, would comply more perfectly with the spirit of their state within the cloister, and under the eye of a religious superior. The wants of religion, which usually justify the exceptions to this rule, did not exist, he thought, in this country where even then might be found many secular priests of superior merits, eminently qualified for the episcopal office. It is likely that the frequent representations made by his agents at Rome of the growing influence of the Dominicans, who after the suppression of the Jesuits, filled most of the places of trust, confirmed him in his opposition to that order. He had been told that whenever a see became vacant, there was always a Dominican candidate; and that some bishoprics seemed reserved exclusively for their body. Dominicans now occupied all the chairs of Theology which the Jesuits formerly held; they were *consultors* to several congregations, and the intimate friends and advisers of many cardinals. In short, if the reports made by the Roman agents could be relied on, the secular clergy were about being systematically excluded from all hope of preferment hereafter. Such exclusion, not to speak of other bad effects, Dr. Butler believed would withdraw religious from their proper duties, and excite jealousy and discontent. Acting on these principles, he opposed the promotion of Dr. Troy to Ossory, and again that of F. O'Connor to the same see after the demise of Dr. Dunne. Unfortunately the priest recommended by himself in the first instance was no other than the Rev. Mr. Molloy, the same who disputed so long the right of Dr. Burke to dispose of the parish of St. Mary's, Kilkenny. Nothing, it is plain, could be better calculated to revive the bitter controversy regarding the *Hib. Dom.*, and to provoke the hostility of every friend of the religious orders. Nor was he more fortunate in the second instance, for although he succeeded in obtaining the appointment of Dr. Lanigan, notwithstanding the strong opposition of the friends of the Dominican candidate, malicious rumours were spread abroad that he wrote to the Holy See in favour of Father O'Connor; and a formal denial from the cardinal protector was necessary to refute the calumny.\*

\* "Illustrissime ac Revme. Dme. uti frater. Etsi satis esse poterat, S. hanc Cong. Rmo. Archpo. Cassilensi pro certo affirmasse in postulatione Epi. Ossoriensis facta in favorem P. Joannis O'Connor ordinis prædicatorum nullatenus inveniri subscriptiones ejusdem archpi., uti is hic rumor increbuerat, falsitatis notam injustissime inurendo cæteris prælatis qui eam affirmaverant. Quoniam tamen amplitudo tua de hac ipsa re documentum aliquod exquirendum

I have noticed before the proceedings in Armagh, and the opposition of the Munster bishops, which was certainly said to be owing in a great measure to their fear of seeing Dr. Troy promoted to the primatial dignity, and a Dominican bishop thus occupying the highest position in the Irish Church.

In Limerick the honourable and Rev. John Butler\* was warmly

putavit, ut honori ac decori suo validius consuleret, justæ hujusmodi petitioni libenter annuens per has literas affirmo, ac declaro, in memorata postulatione, nullam non modo subscriptionem archiepiscopi Cassiliensis inveniri, sed ne mentionem quidem factam esse Illust. metropolitani, ita ut hujusmodi vox falsa omnino et calumniosa haberi debeat. Cæterum tibi aliisque Hiberniæ prælatis persuasum esse cupio. S. Cong. ubi de novis episcopis eligendis agetur nihil aliud uti hactenus fecit ab oculis habituram nisi candidatorum merita sive ii regulares sint sive sæculares. Quod dum amplitudini tuæ cognitum esse volui Deum precor, ut florentem et sospitem diutissime servet Amplitudinem tuam Romæ 5, Dec. 1789.

“Uti Frater

“S. CARD. ANTONELLUS,  
PREFECTUS.

Revmo. Domino Episcopo Fernens. in Hibernia. S. de Carpineo prosecretarius.

\* Not the apostate Dunboyne, then bishop of Cork. This John, who declined the see of Limerick, was son of Thomas, eighth Lord Cahir, a member of the society of Jesus, and resided generally in Hereford, where he died in 1786. For an interesting account of his Life, see Dr. Oliver's *Collections*, p. 236. Dr. Nihil was also an ex-Jesuit, though this fact is unnoticed by Dr. Oliver. Dr. Troy, warmly solicited by both parties, did not interest himself much for either.

“*Kilkenny, 2nd Feb. 1778.*

“MOST HON. AND EVER DEAR SIR,

“From the moment I had the honour of being a member of the prelacy in this kingdom, I thought it my duty not to recommend any one for a bishopric therein with whom I was not personally acquainted, as I think myself responsible for the conduct and principles of any man whom I proclaim qualified for that or any other station. During my long stay at Rome, I had frequent occasions to lament the insufficiency of pompous signatures and recommendations from this unhappy country. I am sorry to assure your Grace that wise men in favour there have remarked they are frequently the result of party spirit, and too often originate from principles which the subscribers should reprobate, I am very far from thinking that the zealous metropolitan of Cashel and his suffragans, are actuated by such selfish views in recommending the Honourable Mr. Butler as a proper person to succeed the late Dr. Kearney in the see of Limerick, as I presume they would not contribute to the promotion of any one to that dignity who was not as remarkable for knowledge and conduct as for family and fortune. I therefore most heartily agree to your using my name and signature in favour of the Honourable John Butler on the above occasion and assure you, I am with respect and esteem, your Grace's most obliged and very humble servant,

“J. T.

“Dr. Butler, Thurles near Cashel.”

“*Kilkenny, 13th March, 1778.*

“MOST REV. DEAR SIR,

“..... Dr. James Butler has been very successful in obtaining signatures in favour of his namesake. I could not refuse mine without endangering my present peaceable situation, as especially no rational objection could be made against the Honourable and Rev. Mr. Butler who like Mr. Nihil, is an ex-Jesuit. I was also applied to in favour of the latter when it

supported by his namesake and kinsman, the archbishop of Cashel, while Dr. Carpenter and his friends used their influence in favour of Dr. Nihil, the rival candidate; and after the former refused to accept the dignity, all the bishops of Munster, except Dr. M'Mahon,\* *a Dominican*, united again in recommending the Rev. Mr. Molloy for Limerick; and failing in that project also, they proposed him for the coadjutorship of Kildare. They seemed thus determined, if possible, to secure the election of a priest who, whatever may have been his personal merits, was not likely to win the confidence and esteem of a great number of the Irish bishops.

The appointment of Dr. Bellew to the bishopric of Killala gave also great displeasure to the Leinster prelates. He had been residing in Rome before his election, acted occasionally as Dr. Butler's agent, at least corresponded with him often, and it was suspected sent his Grace from time to time unfavourable accounts of some of the Irish regular clergy. The jealousy which sprung up between the bishops of the south and the religious orders, the friends of the latter ascribed to his imprudence in reporting false and insidious charges, said to have been first put forth in a letter from two Franciscans in Dublin to a brother in Rome against the secular bishops, who usually supported Dr. Butler's policy. The rumours, both as regarded the friars in Dublin and Dr. Bellew, may have been altogether maliciously spread abroad; if true, they could do no injury in other circumstances; but at a time that a design was formed by many members of both houses in the Irish parliament to suppress the religious orders entirely, the least imputation was likely to strengthen the hands of their enemies, and to exasperate their friends. The bishops

was too late. I am perfectly indifferent as to the choice of either, and fancy Dr. James has endeavoured to corroborate his recommendation with that of others from the motive you mention . . . Ignorant or designing persons in this neighbourhood confidently asserted that the Roman disapprobation of the Test-oath encouraged disobedience to government, and that as I came home freighted (this was the word they used) with the prerogative doctrine of the court of Rome, there was reason to doubt of my civil principles. My letter (publishing the fact on the day appointed by government) has undeceived many and pleased every one here, particularly the non-jurors.

"J. T.

"Dr. Fallon of Elphin."

See also Dr. Troy's letters to Dr. Carpenter, Feb. 18, 1788; to Dr. Butler (James), March 24, 1788; and April 24, 1788.

\* "Mr. Molloy has been certainly recommended by the prelates of Munster, except Dr. M'Mahon for Limerick. There are some other appearances in his favour. We shall probably know the determination of this matter before March."—*Troy to Carpenter, Jan. 30, 1779*. "Mr. Molloy has been strongly recommended by his friends in Munster. As to myself, I can only say that I have made a just and favourable report of his abilities and behaviour since I knew him at court, and I have reason to think no friend of mine there his enemy. I am a little jealous with his friends in this kingdom for endeavouring to keep their intentions a secret from me, as I told himself yesterday."—*Dr. Troy to Dr. Keefe, Feb. 3, 1779*.



of Leinster complained, therefore, bitterly of Bellew's letters, as tending to create an unkind feeling towards the regulars when they stood most in need of public support, and warmly opposed his promotion.

These seeds of dissension produced evils which it is unnecessary to dwell on. After consulting all the private and confidential letters of the time within my reach, I am satisfied that the differences would have never grown to the same extent, or continued so long, but for the ill-advised interference of some of the Roman agents (I entirely exculpate Dr. Bellew), who sought to prove their zeal, and thereby advance their selfish ends by propagating, both in Rome and in Ireland, all the idle, and sometimes false rumours that reached them; and that the bad consequences would have been much more serious and alarming, were it not for the consummate prudence and piety with which Drs. Butler and Troy laboured to conciliate and unite their mutual supporters. In the midst of these disputes both not only cautiously avoided angry recriminations, but lived on terms of almost the closest intimacy, taking advice with each other, and corresponding familiarly on their best interests. Both desired peace above every blessing, and used their influence to preserve and extend it. Of their forbearance and esteem we have the clearest evidence in their private correspondence, much of which has been fortunately preserved for our edification. I have not space for more than one short letter, which however was written at the height of the excitement, and plainly for no selfish purpose.

"Kilkenny, 23rd Dec., 1778.

"MY LORD,

"I am very sure you will not regard my wishes for yourself at this season as a mere compliment or the effect of ceremony, although the approaching great festival engages me to pray you may be long blessed with happy returns thereof and heaven in reversion. I do not flatter when I assure you that my regard and esteem for you constantly increases, because I am daily edified by your exemplary discharge of the pastoral duties. I hope the Almighty may enable me to follow your example, and am, with best compliments to Rev. Messrs. Ryan, Cormick, Meagher, and O'Donnell, Messrs. Matthews, and Dr. O'Carroll, very respectfully,

"MY LORD,

"Your Grace's most obliged, most affectionate,  
and very humble servant,

"J. T.

"Dr. Butler of Cashel."

I cannot close this memoir without some notice of Dr. Butler's writings. The chief work left us by him is entitled "*A Justification of the Tenets of the Roman Catholic Religion, and a Refutation of the Charges brought against its Clergy* (by the Protestant bishop of

Cloyne), by Dr. James Butler.”\* The *Introduction* (7 pp.) explains the occasion of this pamphlet. It arose from the “adventitious publication” of the archbishop’s *Letter* to Lord Kenmare, which, being intended for the use of a few private friends, did not enter at sufficient length unto some of the questions touched on. The principles laid down in that *Letter*† Dr. Butler now vindicates more fully in the *Justification*.‡ He compares the conduct of the whole Catholic body during the late riots with the charges made on their religious tenets by the Protestant bishop of Cloyne, and proves that these riots had their origin in the intolerance of the clergy of the Established Church though the evils that followed were not confined to them. The Catholic bishops of Killaloe and Limerick were publicly insulted even in the temples of God,§ many parish priests dragged out of their beds at night, Catholic laymen of the highest respectability fired at in the public highways; every one, in short, no matter what his religion, assailed by the Whiteboys if he dared to raise his voice against their unholy alliance. The Catholic prelates and priests still never ceased to warn their flocks against the enormous guilt of secret and unlawful oaths. “We preached loyalty and we practised it when every sinew of the disabled and distracted British empire was enfeebled by a long struggle for the sovereignty of America—when the minister of England was obliged to desire his Majesty’s Irish subjects to *defend themselves*—when, in consequence of this direction, we saw a self-appointed army of ninety thousand citizens, of whom two-thirds were Roman Catholics—when we were invited by every temptation of foreign assistance; when all these circumstances conspired to shake our allegiance, the conduct of the Roman Catholics in Ireland was marked by an exemplary obedience to, or an active support of the very laws whose rigour we complained of. The conduct of all his Majesty’s Catholic subjects was the same, for their principles were uniform.” The Catholics proved their loyalty by their attachment to the fallen house of Stuart, and by suffering the loss of their liberty and lives under Henry and Elizabeth. If it were a tenet of their religion not to respect oaths, they might still possess many privileges of which they are now unjustly deprived because they will not have recourse to some convenient equivocation. A great proof of the sincerity of the priesthood is the readiness with which they sacrifice all human comforts in the service of the poorest people in the world, though every inducement is held out to them to desert their own religion and conform to the Established Church.§ The conduct of the Irish bishops generally, with regard to the

\* Dublin, 1788, 8vo., 98 pp., with App., 88 pp.

† It is unnecessary for us to say anything here of the contents of the *Letter*, which are all minutely explained in the *Justification*.

‡ Pages 23-24.

§ Page 33.

Test Oath, the *Hib. Dom.*, etc., shows also their great desire to inculcate obedience to the government. Opinions had been ascribed to them regarding the temporal power of the Pope, which they never held, and which they disavowed therefore publicly on the first fitting opportunity in order to remove false prejudices. That their conduct met with approbation in Rome, Dr. Butler strives to prove at great length, by quoting letters from several cardinals who wrote to himself, congratulating him "on the great love he showed for good morality and sound doctrine,"\* by appealing to the decisions of the Sorbonne, which solemnly and repeatedly sanctioned every part of the oath,† and to the circular of Clement XIV., which agreed in substance with it.

The last twelve pages of the *Justification* are devoted to an explanation of the terms of the Consecration Oath.‡ Then are added Appen. :

- I. Containing the decrees of the Cork meeting, June 26, 1786.
- II. Declaration of allegiance from Munster bishops, Limerick, May 1, 1784.
- III. Address to the King on his escape from the hands of an assassin.
- IV. Petition of the Roman Catholic body to both houses.
- V. Answer of the Doctors of the Faculty of Paris, dated November 6, 1775.

Another little book, written by this good archbishop, and more generally approved, is the well-known *Butler's Catechism*, which has nearly superseded all the other works of the kind throughout this country. We believe we are also right in stating, that in England and her colonies, throughout the continent of America, indeed wherever the English language is spoken, there is no abridgment of Christian doctrine so commonly used by the Catholic people,

\* Cardinal Castelli's letter (p. 79, *Justific.*) must have produced a strange effect: "What grieved them most in Rome was, that the prelates of Munster did not consult the Holy See."

† The Doctors of the Sorbonne sometimes modestly declare that it is not their province as divines to decide the questions proposed to them, more, however, because they were unacquainted with the government and laws of this country than because the petitioners should consult a higher tribunal. They attach much weight to opinions expressed by the French clergy in 1626, and to the famous declaration of 1682, and are almost silent on the authority of councils and Popes.

‡ His Grace's principles are briefly these :—1. *Persequar* does not mean by force ; there is no corresponding word in our language. 2. It is explained by *impugnabis*, which follows and shows it is by argument. 3. The oath could not be taken in any other sense by clerics, who cannot be accessory to the shedding of human blood. 4. The oath is permitted in other Protestant countries. 5. It extends only to spiritual authority, 6. An oath is penal, and to be interpreted strictly. This consecration oath was changed soon after, June 9, 1791.

and so warmly recommended by the pastors of the Church. As a testimony to the merits of the catechism, and to show the time and manner of its first publication, I shall quote an extract from Dr. Troy's letter to Dr. Sweetman, Dublin, Oct. 30, 1777 :—"As to the catechism Dr. Carpenter has already adopted it in his own parish, it has been printed here under the title of a 'Catechism for the Instruction of Children,' without any mention of Dr. Butler. I own that our confreres in Munster deserve no compliment from us, but think the catechism peculiarly calculated to promote the Christian doctrine amongst the lower class of people."

In the *Constitutions of Cashel*, by Dr. Bray, a brief notice is given of this illustrious archbishop, which closes thus :—"This truly apostolical man, than whom no prelate was more zealous, persevering, and regular in the discharge of his pastoral mission, died after a short but laborious life of forty-eight years, on July 29, 1791, and lies buried in the new chapel of Thurles." The praises here bestowed on his virtue and zeal are justly due according to the unanimous testimony of all his cōtemporaries. It is rare to find in the annals of the Church a bishop of his years gaining at once so much influence, and using it so discreetly in such difficult circumstances.

The date of death is correct; but Dr. Butler was then in his 50th year, born not, as the *Constitutions* state, on March 19, 1743, but more than a year before, being baptised on March 6, 1742. The same error is repeated in the inscription on the monument.\*

#### EPITAPH OF DR. JAMES BUTLER II.

##### I. H. S.

Hic jacent reliquiæ  
 Illustrissimi ac Revmi. D. D. Jacobi Butler  
 De nobilissima Ormondia stirpe oriundi,  
 Qui spretis mundi illecebris  
 Deo se totum dicavit.  
 Archiepiscopus Casseliensis reluctans consecratus,  
 Provinciam Momonia per septem decem annos  
 Pietate, scientia, et zelo apostolico  
 Rexit et instruxit,  
 Deo, Regi, Patriæque  
 Debita persolvens officia,  
 Vere philanthropos, subditus et pastor  
 Præsulum decus dulce, et exemplar  
 Plorat heu! mortuum tristis religio,  
 Dum patrem jugiter plorant gemitibus  
 Viduæ, orphani, miseri omnes,  
 Quorum ille sortis miserens dolendæ

\* Some interesting documents, unnoticed here, will be found in the Ap. C.; others—all those, for example, connected with the apostacy of Lord Dunboyne—will be more conveniently given when we come to treat of his life.

Illos sibi constituit hæredes.  
 Felix Momonia! tantis virtutibus  
 Ornata, Præsulis semper memento  
 Cordis gratissimi studio prosequi,  
 Quem morte iniqua dixisses abreptum  
 Ni Deus illum remunerari properasset.  
 Animam Deo reddidit die 29 Julii, A.D. 1791,  
 Etatis suæ 48.  
 In memoria æterna sit. Amen.]

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### THOMAS BRAY.

THOMAS BRAY was born in Fethard about 1748, of Mr. John Bray, a merchant in that town, and Margaret Power. His father was admitted Jan. 26, 1733, a member of the confraternity of St. Paul in Clonmel, and in the vellum certificate of his enrolment, signed by its president, Lord Caher, he is described as then a merchant residing in Fethard. His mother Margaret was sister to Rev. James Power, canon at Cassels in Flanders, and chaplain to the French ambassador at Rome in 1766-7, and of Dr. Thomas Power of Tallow, afterwards of Clonmel. The eldest brother John sold the hereditary estate of Glaphy soon after the father's death, while Thomas, the only other child then of age, was engaged with his brother James in a course of study in France. Dr. Bray learned philosophy and theology partly at Rome in the Propaganda, and partly at Avignon in the college of St. Guard.

June 26, 1773, Stephen Borgia, secretary of Cong. of Propaganda, granted and signed a diploma of D.D. for the *priest* Thomas Bray, Hibernus.

After returning to Ireland he was curate for some time to Dr. Butler II. in Thurles.

1779. He was promoted to the parish of Cashel, for which he received the congratulations of Mr. Kearney, Paris, in a letter dated Sept. 26, 1779.

Jan. 13, 1782, Dr. Butler appointed him V.G. and official *in spiritualibus*, with power to bless churches, altars, oratories, vestments, etc., where the sacred oil is not used; to absolve from all reserved cases, and to dispense in some degrees of consanguinity and affinity.

Aug. 20, 1791, Rev. T. Bray requested Dr. Moylan to write to Rome against the appointment of any bishop until the report was made by the prelates of the province after the month's-mind of the late archbishop. The clergy of the diocese of Cashel, if consulted, would be unanimous in their choice of Dr. Teahan, bishop of Kerry, and it would be well to get his Lordship's consent

before the meeting of the bishops, that there may not be any disappointment afterwards.\*

Sep. 17, 1791, Val. Bodkin, Dr. Butler's agent at Rome, writes

"Cashel, 20th August, 1791.

\* ["MY DEAR LORD,

"The distracted state of these dioceses engaged me to set out last Tuesday for Tallaght, to meet there his Lordship Dr. Egan, who will continue till the end of next week the course of his visitations on that side. The day following, by his Lordship's desire, I took the road to Cork, for the sole purpose of unbosoming myself to your Lordship, and of soliciting your immediate and most effectual assistance in our present very embarrassing state of affairs. I left with Mrs. Moylan at your house, a letter from Dr. Egan to your Lordship, with directions to have it forwarded without delay to Killarney. As Dr. Egan really has not leisure for the present time, to attend to any other business, but of his diocese, he requested me to request your Lordship to write immediately to Rome—that Rome may not hastily attend to any postulation from this or the other dioceses, or from any other quarter, till the bishops of the province meet on the month's-mind-day in Thurles; when they could confer together, meet the clergy of these districts, and thereby be enabled to point out a proper subject or more subjects, to be mentioned in this postulation to Rome. Dr. Egan thinks your Lordship has already taken this step, yet he earnestly wishes, that you be pleased to write again in the most pressing terms to the same purpose, and without delay. I have prevailed on Dr. Egan himself to write to Rome on that head; so convinced was he, from my conversation with him, of the immediate necessity of it; and if the other bishops of the province did follow his example, in my opinion, it would be very advisable. Dr. Egan hopes, that neither your Lordship nor Dr. Teaghan, nor Dr. Coppinger, will sign any postulation from any person or persons whatsoever, till after your next meeting in Thurles.

Your Lordship is also requested by Dr. Egan, to acquaint your confreres of the province, how necessary their presence will be in Thurles on the month's-mind-day, which will be on Thursday, the first of September; and to hold themselves disengaged from signing any postulation to Rome before that day. The attendance of the bishops of the province becomes the more necessary as it materially concerns them, and in my apprehension must finally devolve upon them, to choose a proper head for the province, and for these dioceses.

It seems to be the general wish of the clergy of the diocese of Cashel, to have his Lordship Dr. Teaghan for their archbishop; Dr. Egan would be glad to know Dr. Teaghan's sentiments on that head. To postulate for one whose mind is not known may entail unnecessary trouble, and delays injurious to religion. If Dr. Teaghan had reasons not to accept of a translation on this melancholy occasion, their lordships should immediately look out for one or more other subjects and make sure of their acquiescence, in order to write to Rome upon a certain foundation. In the supposition of a refusal from Dr. Teaghan, or from any other prelate of this province, Dr. Egan considers as fit subjects to be presented to Rome, his Lordship Dr. Delany of Kildare, his Lordship Dr. Plunket of Meath, Dr. Hussy of London, and Dr. Kearney of Paris. Other persons will probably occur to your Lordship very fit to be mentioned on this melancholy occasion, wherein the interests of religion are so closely con-

on hearing of the archbishop's death to Dr. Bray, complaining of his not being engaged, and informing Dr. Bray that he was strongly recommended by Dr. Moylan and confreres. Dr. Moylan stated to the congregation that it was the late archbishop's express wish Dr. Bray should succeed him in Cashel. Of the suffragans none coveted the dignity except Dr. Nihil, who asked for translation, and exerted himself much in Ireland and elsewhere to obtain it. V. Bodkin asks, in fine, the cause of the long silence of the Cashel chapter, whose proceedings were quite irregular and unusual.

Dr. Bray, thus for the first time made acquainted with what was going on in Rome, wrote himself to the S. Cong. to dissuade them from appointing him, and soon after to Dr. Moylan, telling how he had acted. He received at once the following letter:—

“MY DEAR DR. BRAY,

“Dr. Teahan was appointed to fill our archiepiscopal see in the Cong. of the 28th of last month; this post I received the pleasing news from Mr. Bodkin. Your last letter vexed me on account of your having written to the Congregation against your own nomination, as I dreaded from Dr. Teahan's letter to Card. Antonelli, requesting their eminences would not think of him for Cashel, the Sac. Cong. might be induced to think of some other person not as well qualified for that place as his lordship or you. God grant we may be able to prevail on our excellent confrere to consent to his translation. I lose

cerned, every partial consideration must be waved, and conscience alone should direct the choice after the most matured reflections. That the spirit of God may direct your lordships, and all others whom it may concern, in the appointment of a proper successor to the best of prelates, is the earnest wish and constant prayer of your Lordship's most obedient and affectionate and humble servant,

“THOMAS BRAY.

“P.S.—Pray my most humble respects and best regards to his Lordship Dr. Teaghan.

“My Lord, I request once more your Lordship will not delay to write to Rome; and to press in the most earnest terms on the Sacred Congregation, not to proceed to the appointment of a successor to these dioceses, till after their Lordships' meeting in Thurles, on the month's-mind-day. When I have the honoured pleasure of seeing your Lordship, I shall assign very particular and forcible reasons for the necessity of taking this precaution. May I expect the honour of a line from your Lordship on the receipt hereof.

“From this obscure and mysterious manner of writing, your Lordship may suppose, perhaps, that I have changed my former sentiments, with respect to myself—I therefore think it necessary to inform your Lordship once more, that my resolution, as signified before to your Lordship, is unalterable; and that every day, and constant reflection, convince me more and more of the necessity of it, and that I am resolved for *no consideration whatever* to change it. As your Lordship may have occasion to write immediately to Dr. Egan, I enclose the route of his visitations for the next week.]

“Right Rev. Dr. Moylan.”

no time to communicate this pleasing news to you, because I am happy in every opportunity to prove how truly I am your assured friend,

"F. MOYLAN,

"Cork, 31st December, 1791."\*

This frank, informal letter I have transcribed verbatim, because so demonstrative of Dr. Bray's sincere humility; and because the vexation and its grounds—'the pleasing news' even to the postponed candidate, the hopes expressed with regard to his rival, in a word, the whole contest between Dr. Bray and Dr. Teahan is so illustra-

"Cashel, 4th January, 1792.

\* ["EVER HOND. AND MOST DEAR LORD,

"A thousand thanks to your Lordship for your last favour to me. It proved a very welcome New-year's gift, as it was most anxiously wished for by me. Your Lordship's most pleasing intelligence has totally removed the uneasiness which I felt these months past with respect to myself, and rewarded my most sanguine wishes for the promotion of his Lordship Dr. Teaghan to this vacant see. May God enable him to fulfil the great trust reposed in him.

"I hope your Lordship's goodness will easily forgive whatever awkwardness I have been guilty of in my correspondence with Rome. No thought would be further from my mind, than to give your Lordship even the most distant shadow of dissatisfaction upon any occasion whatsoever. The whole of my conduct, I can assure your Lordship, was directed by the purest motives, on the late melancholy occasion. And if we view in a superior order every transaction relative thereto, perhaps we shall acknowledge the unsearchable ways of an all-wise and most gracious Providence, to bring about its own designs.

"I should not forget to acknowledge most respectfully your Lordship's kind wishes for me, at the commencement of this new year. Be pleased to accept of mine in return, and if they prove as effectual, as they are sincere, your Lordship will enjoy for many years, the most desirable blessings.

"In these sentiments I have the honour to be, with all possible respect and esteem, and with the most affectionate attachment, my Lord, your Lordship's most obliged and truly humble servant,

"THOMAS BRAY.

"Right Rev. Dr. Moylan."

"February 13, 1792.

"MY LORD,

"As I know your Lordship is at this particular time much hurried with business of consequence, it would be cruelty to trespass without necessity upon your Lordship's precious time. I shall not therefore expect the honour of an answer to this letter.

"For reasons very obvious to your Lordship, I would wish that his Lordship Dr. Teahan were apprised, not to communicate at the present stage of business with Rome his sentiments and resolutions to any of his correspondents on this side, or indeed to any other persons, except his provincial confreres, until a proper and safe time for disclosing them. Dr. Moylan's approved wisdom, well-known zeal for religion, his partiality to me, and special confidence reposed in me by his Lordship, command many marks of respect and attention from me to him. Besides, I consider your Lordship and Dr. Moylan the chief acting per-



tive of the sincere and disinterested piety of the good priests and bishops of Ireland. Dr. Gerard Teahan, bishop of Kerry, was thus

sons in this business. I am therefore very desirous to have communicated the contents of this letter to his Lordship, and I most humbly request your Lordship, if it be not improper, to forward it to him. I could not presume to take this liberty, but that the post is near going out, and that I would not have time to address his Lordship in a separate letter, and perhaps the subject matter of it would not admit of the delay of another post. If I have presumed too much, I have no apology to make but your Lordship's native goodness, and special kindness to me.

“THOMAS BRAY.”

“Right Rev. Dr. Egan, Clonmel.”

“Cashel, 13th February, 1792.

“MY LORD

“Your Lordship will more easily conceive, than I can describe the uneasiness I feel, for his Lordship Dr. Teahan's seemingly determined resolution, not to be removed from Kerry, and on account of the application made to a certain person in consequence thereof. I shall make bold to trespass once more on your Lordship's patience, by submitting with all possible humility and respect to your Lordship's judgment, the following reflections, which perhaps are not altogether foreign to the subject, and may be deemed not undeserving some attention. I understand that no official account has yet arrived of Dr. Teahan's appointment to Cashel; and is it not premature, if not improper, to trouble the Sacred Congregation with objections and difficulties upon no better foundation than a private letter of information from Dr. Bodkin to his Lordship Dr. Moylan? If the bishops of the province concur with Dr. Teahan and his adherents in any such measure, it may appear to Rome as if they regretted of the choice they had made, and were desirous to avail themselves of the slightest grounds to reverse it. In my humble opinion, the bishops of the province should not further interfere, nor ought Dr. Teahan remonstrate, much less resign, until the Sacred Congregation speaks for and from itself. It must be presumed, when the bishops of the province did postulate for Dr. Teahan, whatever objections his Lordship had to propose, were duly examined and overruled by them, and his acquiescence previously obtained. I rest satisfied, Rome has approved your lordships' choice, and Dr. Teahan now unfortunately starts difficulties, and is unwilling to consent. The Sacred Congregation under those circumstances, must consider itself as trifled with. Dr. Teahan will subject himself to the suspicion of inconsistency; and the bishops of the province may be arraigned by their Eminences for the want of necessary precautions, and of common prudential foresight, in an affair of so much consequence. An impression of this nature on the minds of the cardinals, would infallibly lessen the influence of the provincial bishops on future emergencies, and perhaps preclude the effect of their lordships' recommendation in favour of an another subject for the present vacancy of Cashel, should Dr. Teahan persist in his unwillingness to be translated hither, which I most earnestly wish, and do entertain strong hopes, will not be the case.

The smallest opposition now to be given to the *fiat* of the Sacred Congregation, in favour of Dr. Teahan, probably would engage the cardinals to substitute in his place some favourite candidate already *in petto* with them; or to

appointed archbishop of Cashel in the Cong. of the 28th November, and confirmed by the Pope on the 4th December, 1791.

gratify some foreign high and powerful recommendation in behalf of others. The bishops of this province should not lose sight, that the Sacred Congregation has paid them the first compliment, and thereby has acquitted itself; a repetition of it may be denied from motives of policy, or for certain purposes or reasons, at this distance from Rome, unknown to us.

I cannot forbear expressing my suspicion, that some such Roman political measure has been, and is still in contemplation; otherwise, how account for the extraordinary silence of the Sacred Congregation on the head of Dr. Teahan's appointment? Three months are now almost elapsed since the decision of Rome in his favour, and no official account to any one of the bishops of the province about it, and no Brief nor Bull for his translation. This my suspicion is further corroborated from Dr. Teahan, at an early stage of this business, having written to Cardinal Antonelli against his own promotion.

In the present crisis, and your Lordship must allow it to be extremely critical, I evidently see there is but one remedy—that Dr. Teahan be prevailed upon to sacrifice his own personal feelings—and who can so successfully undertake to reason with his Lordship, and to gain his final consent as your Lordship and Dr. Moylan? If your Lordship do not prevail with him, I give up the cause for lost. As to the objections latterly advanced by Dr. Teahan, I must consider them of a foreign nature; and I perfectly agree with your Lordship, they cannot seriously be dwelt upon; the only support they can borrow is from the *vinculum indissolubile* to his diocese. If his Lordship avails himself of this argument, I must confess I have been hitherto a stranger to his real character; for I never did imagine, and I am still satisfied, from the opinion I entertain of his Lordship's good sense and love for religion, that the good of religion alone will influence his determination on the present very serious and critical occasion.

"I have spun this letter beyond measure, and certainly beyond my original intention. The foregoing reflections have most of them occurred to me occasionally in the writing of it—my chief interest was to deliver my final resolutions with respect to myself—and I hope this will be the last time, that I shall have occasion to trouble your Lordship with them. I therefore now most solemnly and candidly declare, that I do consider myself unfit for the dignity proposed to me, and that I rest perfectly satisfied, that God does not call me to it. Since my last conversation with your Lordship, in the presence of their lordships Dr. Teahan and Dr. Coppinger, I think it incumbent on me at this particular moment, to aver again these my sentiments unequivocally and peremptorily, to prevent as far as lies in my power, your lordships taking more trouble about me, and the very disagreeable consequences which must naturally ensue from useless application. However, while I live, I shall remain impressed with the most lively sense of gratitude, affection, and attachment for your Lordship's partiality, and of your right reverend and ever honoured colleagues to me.

"In these sentiments, I have the honour to subscribe myself, with the greatest respect and esteem, my Lord, your Lordship's most obliged and most devoted humble servant,

"THOMAS BRAY."]

2 T

March 20, 1792, Dr. Teahan resigned the archbishopric, and sent back the Bull of translation to the Nuncio at Liege.\*

The Roman court was at the time entirely occupied with the fear-

"Killarney, March 20th, 1792.

\* ["MOST DEAR AND HONOURED LORD,

"As the last pledge I could give your lordship of my respect and unbounded confidence, I send enclosed a copy of the answer I sent the Nuncio at Liege, together with the Bull which I returned as having come through his hands. By this answer your lordship will see that so far as depended on me, I paved the way for the appointment of whomsoever the bishops of the province choose at present to recommend. My humble opinion is that we should meet immediately, and the surest way of avoiding any disappointment is, I think, and as I before suggested, that we four\* should go to Limerick, where we should be certain of meeting at any time the three others. Now is the moment for exertion of zeal. If we come together and wish (as I cannot doubt but we should) Dr. Egan's appointment to this important dignity, I see not, after his declarations, and the part he has taken with regard to me, how he can possibly decline, or if he should, we could in concert fix on some one who, I am confident, would for that reason be appointed by the Holy See. As for †—— I cannot persuade myself he is to be dreaded—and if our loving confrere is proposed, I for one shall not hesitate to give my negative. I need not say more on the subject, but wait your lordship's answer.

"I am very thankful for the trouble your lordship has been kind enough to take in sending for the little books to Dublin. By a letter I had last post from Dr. Kearney, he wishes most earnestly that we should endeavour to establish seminaries in this kingdom, which might be supported, he says, by yearly remittances from our colleges abroad; that by this means these funds, the interest of which would be forthcoming, though the principal cannot be got out of France, might become of real use to our mission. This idea he earnestly recommends the bishops to revolve in their minds, and it may now be more necessary to take it up, if on account of the Emperor's death the counter revolution drops . . . .

"My very affectionate salutes to all your family, and I pray your lordship to be assured of the ever warm, and most respectful attachment with which I have honour to be, most dear and honoured Lord, your most sincerely devoted and most humble servant,

"G. TEAHAN.

The Rt. Rev. Dr. Moylan, Cork."

"Killarney, 27th March, 1792.

"MOST DEAR AND HONOURED LORD,

"By your last kind favour, which I received last night, I see I must lie under the misfortune of experiencing a continuance of your lordship's disapprobation of my declining the dignity offered me. This, I confess, is a considerable affliction to me, and it would be much more so, were I not borne up by the dictates of my conscience and my reason, the right of which in all free actions, as I hold sacred in others, so I claim the like privilege for myself. I

\* Drs. Teahan, Egan, Moylan, and Coppinger.

† Name illegible. Dr. Nihell of Kilfenora is probably the person intended.

ful consequences of the French Revolution, to religion, to the peace of Italy and the world. The frequent devastations of French pirates on the coasts of the Papal states, their sacrilegious desecrations of churches, and the efforts made in Rome to raise an army, equip a fleet, garrison castles, etc.—these hopeless projects, to

shall not trouble your lordship with a repetition of the motives which, in my poor judgment not only justified, but compelled my refusal. I have, I think, sufficiently laid them open, and they have failed to gain your lordship's assent. On this head nothing remains but the application of St. Paul's rule—*unusquisque in suo sensu abundet*. At present, I confess, it adds to my uneasiness to find your lordship has no notion of concurring in what appears to me to be the most effectual means of obtaining from the Holy See the appointment of the person we would wish. I see a couple of objections which might be made to the plan of meeting, which I take the liberty of suggesting. The wish of our Limerick confreres in favour of Dr. N, and now latterly Dr. Conway's desire of having M. Y. for his coadjutor. But in my humble opinion, these are rather urgent reasons why we should meet. For here, I think, are seeds of dissension, which if not immediately plucked up, may produce very unpleasant and pernicious fruits. By paying our confreres in Limerick the compliment of going to wait on them, we should conciliate their good-will; the candour of our proceedings, the purity of our motives, and the goodness of our cause would not, I think, fail with good-hearted men, such as I trust they are, to procure us their concurrence. 1st, To lay aside Dr. N.; 2nd, to postulate for Dr. Egan (if he did not oppose); and 3rd, to think no more of M. Y. if, as is supposed, there be well grounded objections against him. Any other mode of proceeding will, I fear, create distrust, ill-will, and opposition, which it has been from the beginning so principal an object with us all to guard against. If your lordship approves what I mention, we three, I think, may go to Limerick in Easter week, and if Dr. Egan found it inconvenient to join us, he might write his sentiments to the meeting. Meantime, as your lordship desires it, I shall without delay mention to the Prefect of the Sac. Cong. my ardent wish that Dr. Egan may be appointed, though it strikes me as an impropriety to solicit his lordship's appointment before I have any reason to think that he will acquiesce. It was only this consideration withheld me from representing in my letter to the nuncio (as I most earnestly wished to do), Dr. Egan as indubitably the fittest of all others to fill the archiepiscopal see. I shall be happy to know your lordship's further sentiments by Thursday's post, together with those of Dr. Coppinger, to whom I pray my affectionate respects, and am with ever sincere and respectful attachment, my dearest lord's affectionate devoted servant,

“G. TEAHAN.

“The Right Rev. Dr. Moylan, Cork.”

Life of the Very Rev. Laurence Callanan, Ex-Provincial O.S.F., Cork, by Rev. M. S. Brennan. Cork, 1818.—p. 23—“The late Dr. Teighan (*sic*) was at this time appointed to the archdiocese of Cashel; and being unwilling to accept of that dignity, he commissioned Mr. Callanan on his departure from Ireland, to present his renunciation of the see to the Pope's Nuncio in Flanders. This trust he honourably discharged; and after much explanation, the Nuncio

which the Papal government was driven as a last resource, wasted all its strength. The sufferings of the faithful in other countries, the sacrilegious plunder of church property in France, the profanation of churches, altars, and of everything sacred, the open profession of atheism, and the worship of Satan shamefully proclaimed in the high places—all this was enough to distract the mind of the Pontiff, and to interfere with the due proceedings in the Roman offices. Hence the first congregation of Propaganda after the receipt of Dr. Teahan's letter, was not held till the 11th of June, 1792. Their Eminences unanimously agreed to propose Dr. T. Bray for the vacant archbishopric, relying wholly on his former recommendations, and without waiting to consult anew the bishops of the province. They were made acquainted, I should think, with the earnest request of Drs. Teahan, Moylan, and Egan, who alone probably heard of the resignation.

June 17, 1792, being the following Sunday, the name thus chosen by Propaganda was presented to the Pope; and his holiness at once confirmed the appointment, probably before some prelates of the province knew that the see was again vacant.

July 20, 1792, the Bull for his consecration was sealed and sent off from Rome.

approved of the grounds of the petition, and very willingly complied with his request."

Through the kindness of the Right Rev. Dr. Moriarty, bishop of Kerry, I am enabled to insert a copy of the resignation, or rather a part of the first rough outline of it. It is in Dr. Teahan's hand-writing.

"*Gratissimo sane etsi non læto animi sensu me profuderunt litteræ benig-nitate plenæ ab Excellentia tua sub die 13 Januarii proxime elapsi ad me date, quæ simul cum Brevi apostolico pro translatione meâ ad Metropolitanam sedem Cassiliensem intra tres tantum quatuorve dies ad me pervenerunt: utinam priores Excellentia tuæ litteræ, per manus quasdam audaciores (ut suspicor) interceptas atque suppressas, mature recepissem; tunc obviam ire conatus essem molestiæ, quam modo post expeditionem litterarum apostolicarum sanctæ sedi forsitan allatura est recusatio mea, quæ nihilominus recusatio prorsus necessaria est et inevitabilis. Ab initio quidem me renisum patet ex litteris a me Scriptis mense 8bris anni clapsi ad Eminen. congregationis Præfectum. Sed mirum non est rationibus a me tunc allatis animum non multum advertisse Emos. Patres, siquidem ejusmodi erant hæ rationes quamvis mihi certissimæ, ut facile sibi persuasum habere potuerint eas ex timore solo et vano scrupulo natas, pensatis nimirum laudibus oppositis quibus me licet indignum efferebant Provinciæ hujus Episcopi Confratres. Cum igitur quæ in litteris istis prioribus exponerem, etsi vera fuerint et genuina animi sensa, non valuerint inducere Emin. Patres ut magis idoneum huic Provinciæ præfici curarent, necesse habere Excellentia tuæ indicere, simulque per hanc communicationem S. Congregationi nota facere mala Diœcesi Kerriensi, si me ab hinc amoveri contingat, eventura—quæ cum gravissima sint, dubitare nequeo quia mea hæc oppositio apud Excellentiam tuam necnon apud Eminos. Patres sit excusata: hæc ergo sunt quæ me a tali transitione deterrent.*"

Meantime Dr. Teahan, being informed officially that his resignation was accepted, gave notice thereof to his confreres of the province. Some of them, Drs. Egan and Moylan, wrote at once to remind the Holy See of the piety and merits of Dr. Bray. All the prelates of the south agreed to meet in Tipperary on Tuesday, July 3rd, in order to draw up and send to Rome a joint postulation in favour of the candidate they should then select. Dr. Egan wrote (June 30th) in his own name and in that of Dr. Moylan to Dr. Bray, urging him to attend the meeting, because the prelates would be much assisted, he thought, by correct information, and knowledge of character derived from those who lived in the district; but it is plain enough the chief, if not the only, object intended was, to gain his assent by the authority of the assembled bishops. Their deliberation was most solemn; their decision unanimous. Dr. T. Bray was chosen unhesitatingly. But how overcome his reluctance? They might assure him, for he knew it well, that their election was was not designed to gratify ambition, and did not proceed from any interested motive on their part: they had plainly no object in opposing his inclinations but the glory of God, and the good of religion. But they could not make that holy priest believe that he was qualified or destined by God for so high and sacred an office. The bishops sought various means of extorting some concession; and after working on his piety and affectionate obedience to the Holy See, they asked if he would not feel it his duty to sacrifice his own opinion to that of the head of the universal church, and yield obedience if *finally commanded* by the supreme authority of the Holy Father. He would obey, he said in reply, in all things the positive command of the vicar of Christ. He saw that Dr. Teahan's resignation had been accepted at Rome without much difficulty, and knew that the Pope almost never issues a strict command in like cases, and did not know as yet whom the bishops might elect; hence he thought himself secure while making this promise, which implied nothing more, in his judgment, than what obedience required of every Christian. But his superiors were determined to avail themselves of the least admission favourable to their design, and succeeded thus only in accomplishing it. They called respectfully on the Holy See to command Dr. Bray to accept an office, which he alone could now fill worthily. On the other hand, he used every exertion to prevent his name being put forward at the provincial council; and after returning home wrote to Dr. Moylan, beseeching him not to forward the postulation, and on July 7th to Dr. Egan to the same effect. From the latter he received the following reply:

"VERY REV. AND DEAR SIR,

"Lest I should disquiet you by keeping you in suspense, I will not, but immediately tell you in answer to the letter of yesterday you favoured me with, that there is nothing I could with propriety do which I would not most cheer-

fully do, to remove the anxiety you express yourself to feel, however ill-founded I think it to be; but after having, on our parts, done what upon the most impartial deliberation we considered incumbent on us to do; after having represented as well your former reluctance, as your later acquiescence and our hearty and unanimous approbation thereof, we must bring upon ourselves, and indeed upon you, the imputation of unsteadiness and inconstancy, if we were now to recede from the measure which we judged ourselves obliged to adopt. It can remain, therefore, with the Holy See alone to determine between our hopes and our fears. I rejoiced to hear from yourself, what in my opinion of you, I was in the main firmly persuaded of, that notwithstanding the backwardness you hitherto felt, it was ever your invariable resolution to submit, if that should be finally recommended to you from its authority. Such I am sure are your present sentiments also, and such I am sure your sentiments ever will be. I shall only add, that we wish for success for what we have in view, not otherwise than as it may be for the glory of God and the interest of religion; and if these are promoted, you certainly would not, as you certainly ought not, oppose it.

“I am with the sincerest affection,

“Very Rev. and Dear Sir,

“Your most obedient and most humble servant,

“WILLIAM EGAN.

“Clonmel, July 8, 1792.”

The very day, July 8th, Dr. Bray received this answer, finding that there was no hope of dissuading the Irish bishops, he wrote through the late archbishop's agent, V. Bodkin, to Card. Antonelli, Prefect of Propaganda, humbly entreating he may not be appointed to Cashel, and declaring his incompetency to fill so arduous an office. This remonstrance became soon after his last and only hope, for in the course of the following week he received letters from Drs. Moylan and Egan, which seemed to determine the final issue. As the smallest relic of these pious and distinguished prelates should be religiously preserved, the reader will excuse me for inserting both letters here.

“MY VERY DEAR AND REV. SIR,

“Your letter which came to hand a few days after my return, made me, as you had foreseen, very uneasy, as it was not in my power to comply with what you wished, for indeed I would deem any acquiescence to your desire of not forwarding the postulation of the prelates as acting against the will of God, which seems evidently to have manifested itself in the different circumstances that have attended the deliberation of the prelates for your promotion. I am the more convinced that you are called upon to fill the vacant see, from a letter I just received from Mr. Bodkin of the 20th of last month, wherein he gives me the pleasing news, that in the consistory held on the 17th of the month, when the vacancy in Cashel was discussed, his Holiness on finding that such of the suffragan prelates as were qualified for the metropolitan dignity were averse to their translation, and hearing that Cashel was so long *sine sponso*, said, “Let us make then directly Thomas Bray archbishop.”

“You see, my dear friend, the hand of Divine Providence visibly manifest

in your promotion: to oppose it longer would be to oppose the will of God, which, I am convinced, you would not by any means attempt to do. Courage, then, my dear friend, the Omnipotent hand that has laid this heavy burden on your shoulders will enable you to bear it, and I am most confident that this much wished for event will tend to the greater glory of God, and the advantage of religion. I therefore congratulate our province and the prelates of the province on having a metropolitan who has all our confidence, and so well qualified to keep them always closely united in fraternal love and concord. I congratulate the hierarchy on the acquisition of so exemplary and so zealous a prelate. I congratulate the cause of true piety and religion, which in your elevation to the metropolitan dignity will have a strenuous advocate and supporter. May God strengthen you, and by His choicest blessings and graces enable you to fulfil the great end of your vocation. What pleasure will not this account give to all our prelates, and in particular to our dear and respectable friends of Waterford, Kerry, and Cloyne? But be assured that none will feel more real comfort and pleasure on this most interesting event than, my dear Doctor,

“Your assured friend, and most faithful servant.

“F. MOYLAN.

“Cork, July 14, 1792.”

On the same day Dr. Egan's letter came to hand.

“MY MOST HONOURED AND VERY DEAR LORD,

“Though I will not probably be the first in point of time to congratulate with your Grace on your appointment to Cashel, I certainly will not be second to any one in my heartfelt joy for that most desirable event—God for ever be praised. Dr. Moylan has no doubt acquainted you as he has me, that his Holiness on the 17th of last month named you in the consistory to the long vacant see, and named you in such a manner, as to preclude room for the smallest doubt of the special interposition of Providence on the occasion. The nomination assuredly did not take place in consequence of our joint postulation in your favour, whatever may have been done by particular letters: our joint postulation, though since forwarded as forcibly as it could be, had not at that time been agreed to by us. His Holiness in the meantime, God bless him, guided, I am persuaded, by the Divine Spirit, must have determined in a great measure from a mere *motus proprius*; you have been chosen not alone without your concurrence, but also in direct opposition to your every endeavour to prevent the choice of you. The earnest recommendation of the late great and good archbishop has been attended to; his prayer in Heaven, I firmly believe, procured success to them: our anxious wishes have been gratified, and the ambitions have been disappointed. Again, God for ever be praised. The finger of God appears so evidently in every circumstance leading to this event, that I would consider myself as offering an insult to your conscience and to your understanding, if I were to attempt to reason you into an acquiescence in it.

“As you may now daily look for your Bulls to arrive, you will do well, I think, to prepare immediately for your consecration—the sooner it takes place the better—and it were desirable, I believe, that the opportunity of the anniversary, which is likely to bring a number of prelates together, would be found convenient for the purpose. May Almighty God in His mercy give you grace, health, and strength, long and successfully to promote His holy service in your



new and exalted station. I shall only add that if I know myself, you may confidently rely always meeting from me with every respect due to you from me as your suffragan, every affection that can be felt for you as compeer.

"I have the honour to be, very affectionately and respectfully, my most honoured and very dear Lord, your Grace's most obedient and most humble servant,

"WILLIAM EGAN.

"Clonmel, July 16, 1792."

About the same time he received a letter from Rev. Val. Bodkin of Rome, acquainting him with the decision of the Holy Father, and in four days after another from Card. Antonelli, officially announcing his appointment. The Papal brief was forwarded by Mr. Connelly, prior of the Dominican convent of St. Clement's at Rome, to the nuncio at Brussels, and by him sent together with a letter of August 30th from himself to Dr. Bray, under cover to Dr. Moylan of Cork. His lordship being then an invalid at Bath, the V.G. and coadjutor Dr. M'Carthy opened the package and sent the papers on to Cashel, where Dr. Bray received the long-dreaded document on the 19th of September. Without delay he wrote back to Dr. M'Carthy on the 20th to inquire if Card. Antonelli mentioned the receipt of Dr. Bray's letter to him. Dr. M'Carthy replied on the 25th that his Eminence had not mentioned that (protest of July 8th, spoken of above), "but that he was led by another circumstance to believe it was received by the Cardinal, and to conjecture its import. It was your final effort to deprecate your appointment. For in a letter of Mr. Bodkin's (August 29th) to Dr. Moylan, which came to hand this day, it is said, that Card. Antonelli had had an audience of the Pope, in which after communicating your reluctance, his Holiness made answer that he would not admit the same, but would oblige you in virtue of holy obedience, and of a formal precept of the Holy Sec."

Nearly the same post brought another letter direct from Mr. Bodkin, stating, "Your letter of 8th July came safe to hand. I communicated the purport of it to Card. Antonelli, who was already apprised of the contents thereof by the secretary of Propaganda. By his Eminence's express orders, given to me not later than yesterday, I write you the present letter which is to inform you that his Eminence having spoken to the Pope of your refusal, his Holiness declared he would send a formal precept, which would be forwarded now *in omni forma*, only that it is feared you might have sent back the brief before this time."

The humble but eminent servant of God, and true disciple of his blessed Master, seeing he could no longer resist the divine will in his election, and deeming it useless to wait for a formal command which would be most certainly issued, after reading these letters returned to his oratory, and there poured out his whole soul before God, and prostrate before the crucifix made first the sacrifice of his own will to the inscrutable will of God. *Domine quid me vis facere?*

he was heard to exclaim often in that prayer. After communing a long time with God, his resolution to comply in every thing with the designs of God was much strengthened, and his mind more at peace.\*

[\* Friendly and encouraging letters poured in on all sides, which strengthened his resolution. Witness this warm exhortation from Dr. Troy :—

“MOST REV. AND HONOURED DEAR SIR,

“I was honoured with your obliging reply to my letter of congratulation, on the very day after my mother's death, for which, I confidently hope, she was prepared; nevertheless, I recommend her repose to your sacrifices and prayers. The hurry consequent on that event, and inseparable from other pressing occurrences, has hitherto prevented my free observations on your reluctance to acquiesce in the determination of the Sacred Congregation and earnest wish of all the prelates in your province. I could hardly imagine, notwithstanding your conviction of the weighty burden and humble opinion of your abilities, that you would hesitate to complete the salutary work in which the finger of God is evidently conspicuous, and thereby render yourself accountable to Him and to His Church for the long train of evils necessarily arising from a longer vacancy of a see to which you must be peculiarly attached, and which must have already suffered from the intrigues of ambitious and factious pretenders to the mitre. I am edified at your reluctance, but would be scandalized at your obstinacy in persevering in it, and therefore conjure you from every consideration of weight to promote the honour of God, the good of religion, and peace of the archdiocese, to make a generous sacrifice of your own inclination to the will of Heaven, of your superiors, and of every disinterested advocate of the recited important objects. Rely on it, that the Almighty will strengthen you in accomplishing his own work. Yes, *confirmabit solidabitque*. I can assure you of this in His name from my own experience. When I was appointed to the see of Ossory—without my knowledge and against my inclination—I was terrified by a frightful prospect, formed, as the event proved, by my own imagination only. I fancied that from many circumstances peculiar to that diocese at the time, a stranger whose name was even before unknown, a person supposed little acquainted with Ireland, a regular and a Dominican, would meet with considerable difficulties in that dignified and envied station. I represented all this as forcibly as possible to the cardinals that nominated me, and to the Pope himself. I remonstrated, I conjured and beseeched, all to no purpose. Their uniform and constant answer was—‘Do not fear, confide in the Lord; His assistance will be the reward of your obedience, and will perfect His own work.’ I acquiesced in fear and trembling, and was happily disappointed during my almost eleven years of residence there. I only experienced that embarrassment and anxiety which are inseparable from the pastoral charge, and are occasionally diversified and increased by accidental and unforeseen public occurrences. Your situation is widely different; known, esteemed, and respected in the diocese, solicited by the prelates of the province, and agreeable to all ranks, you have a pleasing prospect before you, which, with the assistance of heaven, you will find realised. Courage, then, my dear lord, and be not dismayed; *Digitus Dei est hic*. I will not for a moment even suspect that pride has any share in your reluctance, or that it is caused by the splendour of the incomparable Dr. Butler's heroic virtues and indefatigable exertions,

The third Sunday in October was fixed for the consecration, and on that day (October 14, 1792), Dr. Bray was consecrated in the chapel of Thurles, in the presence of Drs. Egan, Teahan, Coppinger, Lanigan, and other prelates from more distant dioceses—who assembled thus to mark their respect for the new archbishop. There was one friendly spirit whose absence from the ceremony was noticed with regret, the good bishop of Cork, Dr. Moylan: he wrote an apology from his sick bed at Bath.\*

1792, Nov.—His Grace drew up a list of the parishes, pastors, and curates of both dioceses, of which I have taken the following summary. In Cashel twenty-six parishes (including Thurles), and in Emly eighteen: Moykarkey in Cashel, and Galbally, Hospital, and Solohead in Emly, being then vacant. There were seven parishes in Cashel, and eleven in Emly without a curate; one curate in Fethard, Thurles, Cashel, and Tipperary, though there were two in less important places (the second being generally a friend stopping with the parish priest called “a volunteer”); four friars in the diocese of Cashel, two in Thurles, one each in Fethard and Cashel; and one in the diocese of Emly at Tipperary.

which may throw a shade on those of any successor. You are too well acquainted with the gospel, which you exemplify by your conduct, to entertain the selfish apprehension, and you know that the thrifty servant who made the right use of the two talents was equally acceptable to his lord as his companion who doubled his five. I hope your answer will remove the uneasiness in my mind, occasioned by your letter, as I apprehend many bad consequences in these times from your further declining the appointment to Cashel. Were I not flattered with the expectation of your acquiescence, I would certainly urge our superiors to command it peremptorily. You will not, I hope, be displeased with this candour; I owe it to the honour and decorum of religion. Meantime I shall punctually observe your directions, and have the honour to remain, with respectful attachment, your grace's affectionate and humble servant,

“JOHN TROY.

“Dublin, July 26th, 1792.”

See also Dr. Coppinger's letter, July 28, 1792.]

[†Dr. Nihell was also absent on account of ill health, which seems to have been the chief objection to his promotion. From April, 1792, he ceased to discharge any of his episcopal functions, and in July, 1793, postulated for the Very Rev. Edward Dillon, President of the Irish College, Douay, as coadjutor.

“Dr. Laurence Nihell, bishop of Kilfenora, was a native of Limerick, born in 1727, and related to my father, at whose table I well recollect him as always a most welcome guest, for he was distinguished as a priest, a scholar, and a gentleman. . . . I believe I already stated to you the singular circumstance which I witnessed myself at his consecration in Limerick, 1784; the celebrated preacher, Mr. (afterwards dean) Kirwan, then a Franciscan friar, was appointed, as is usual on such solemnities, to preach, when he took for his subject *apostacy*, and the then bishop of Cork, afterwards Lord Dunboyne, was one of the assisting prelates.”—Mr. Roche of Cork to J. W. Hanna, Esq.]

By comparing this account with the return made by order of government in December, 1800, the increased number of priests during the first eight years of his administration will be at once seen. The report of December, 1800, drawn up by Dr. Bray himself, shows that the parishes in Cashel were twenty-eight (corresponding with the names in the statutes, not entirely in the same order), two more than at his accession; eighteen in Emly, corresponding with the statutes except in order, and in the denominations of Abbington, Bilboa, and Cappagh, for Murrow, Boher, Cappawhite and Cappaghmore; twenty-three curates in Cashel, among whom two Augustinians; twelve curates in Emly, among whom one Augustinian and one Dominican. All the pastors were seculars; the above four religious were in Golden, Fethard, Pallasgreen, and Ableyton. Besides these there were two Franciscans residing at Thurles, one Dominican in Cashel, and one Augustinian in Tipperary.\*

The revenues of the archbishop are on an average, he says, by con-

[\* This report was made to government in consequence of the following recommendation from Dr. Troy.

“MOST DEAR AND MOST HOND. LORD,

“Since I had the honor of writing to your Lordship on the 23rd inst., the under-written queries were enclosed to me from the Castle, with a request that I would procure the answers as soon as possible for the information of his Majesty’s ministers. I therefore forward them to your Grace without delay, and hope the desired information may be generally obtained before the college trustees meet here on the 12th of next month. Your Grace may judge of my hurry from the necessity of transcribing the queries, and writing to so many of our prelates. I have the honor to be with sincere attachment and respect,

“My dear Lord,

“Your devoted and humble servant,

“J. T. TROY.

“Most Rev. Dr. Bray.”

#### QUERIES.

1<sup>o</sup>. What are the Roman Catholic bishoprics in each province, which of them are united; what is the income of each, whence does it arise; and what are the commendams held in each?

2<sup>o</sup>. What is the number of Roman Catholic benefices, what is the value of each, whence does it arise; which are the precise dues that form the value, and does the value so far arise from the greatness and population of the benefice as to show its importance?

3<sup>o</sup>. What is the number of deaneries in each province, how is the income made, and of what value?

4<sup>o</sup>. What is the nature of the chapter in each diocese, and what stipends have the members of each chapter as such?

5<sup>o</sup>. What is the number of curates and coadjutors in each diocese, and to what benefices do they belong; whence do they derive their support, are they regulars or seculars?

tributions or proxies of pastors, about 100 guineas; by marriage dispensations, 150 guineas; and from offerings and dues at Thurles (held in *commendam*) 200 guineas; out of which he must support two curates.

\*1793, Jan. 25. Drs. O'Reilly, Troy, Bray, Cruise, and Bellew published a beautiful address, deploring the enormities lately committed "by seditious and misguided wretches of every religious denomination," who are enemies to God and man, and outcasts of society and a disgrace to Christianity" (*Collectanea Politica*, vol. iii. p. 92).

60. What is the number of monastic institutions in Ireland, what members does each contain, how are they supported, and what duties do they perform?

70. What is the number of regular priests in Ireland, distinguishing the orders and the members of each order?

80. By whom, and by what form of appointment or election are the Roman Catholic archbishops and bishops constituted? By what form are the deans constituted, the prebendaries, rectors, vicars, coadjutors, and curates in each province?

90. What are the canons of discipline by which the Irish Church is regulated?

100. What are the regulations with respect to marriage, and who can marry, what qualifications required, what consent of parents, what license, what dispensations are allowed and how granted?

110. Has the Irish Roman Catholic Church any particular liberties as the Gallican, what are they, is there any regulation as to appeals to Rome?

"J. T. Troy.

"Dublin, 28th October, 1800."

Answers given to these queries by some of the bishops will be found in their respective lives; many objected to the whole proceeding, as being insulting and inquisitorial. Dr. Wm. Coppinger (letter to Dr. Bray November 6, 1800,) spoke the sentiments of a large body of the clergy, who refused answering such questions "We rusticated bishops so little in the habit of bowing at the Castle, or exhibiting ourselves in conference with ministers, are better placed in the background of the picture. Neither do I think the harmony, the dignity, or the general effect of the discussions about to take place would gain much by the general attendance hinted at by Dr. Troy." He could not be reconciled, he adds, to the privacy of the whole plot, nor see how the queries can be officially answered with legal security. "I have already commissioned your Grace to act as my proxy (if requisite), particularly in opposing or rejecting with spirited firmness whatever may be deemed incompatible with the well-being of our holy religion."]

\* [In the "O'Renehan MSS" there is no continued narrative of Dr. Bray's life after his consecration. The extracts, however, from the archives of Cashel and other sources are very copious, from which we select what seemed most interesting, though often not immediately connected with the archbishop's personal history. The letters inserted in the notes were not seen by Dr. Renchan].

1793, March 13. Dr. Bray congratulates Dr. Young on his being appointed coadjutor of Limerick. He was consecrated by Dr. Bray in Limerick, on Whit-Monday, 1773, and on Tuesday following the bishops of the province met in synod.

1795, June 4. First meeting of Board of Maynooth College in Chancellor's chambers, house of Lords, at which were present—ecclesiastical trustees, Most Rev. Drs. O'Reilly, Troy, Bray, Egan, Right Rev. Drs. Moylan, Plunkett, M'Devitt, Egan, Delany, French; Rev. Dr. Hussey. Dr. Bray signed the reply of the trustees to the Cardinal Prefect 1796, Nov. 17, and afterwards attended regularly at the board until March 3, 1819, when he resigned, and was succeeded by Dr. Sughrue of Kerry.

1796, June 19. Dr. Young (letter to Dr. Bray) announces the death of Dr. Conway "this morning, aged 74. Had he lived one day longer he would have completed the seventeenth year of his episcopacy, having been consecrated on the 20th June, 1779."

1796, July 28. Clergy of Waterford resolve to send a deputation to the archbishop, praying him to appoint a vicar-capitular.

1796, Aug. 6. Same body send off the deputation to the archbishop and bishops of the province to request that a priest of the diocese may be promoted to the bishopric.

1796, Sept. 7. Dr. Bray recommended to Dr. Moylan the best means of postulating for Dr. Hussey, to succeed Dr. Egan in Waterford. "The postulation may begin by announcing Dr. Egan's death, on which occasion it will be right to insert a few words in honour of the deceased prelate's memory, and to state that an unanimous application of the clergy of both dioceses (Waterford and Lismore) had been made to me to appoint a vicar-capitular, of which circumstance I had already acquainted Cardinal Gerdil; that the prelates of the province would look out with all possible caution for the most proper person to recommend to the Holy See, that at the month's mind, at which the clergy of both dioceses attended, an unanimous request was made to the bishops of the province to supply immediately, as far as they could, for the loss of their late revered prelate. You may then add that Dr. Hussey was much esteemed by Dr. Egan, and spoken of frequently by him as the priest best qualified to succeed him."

1798, Dec. 26. Acknowledged receipt of Roman remittance\* from Dr. Troy.

[\* The "remittances" from Rome to our bishops I have referred to before. The amount for the bishops of Munster was 240 Roman crowns per annum, which for the year 1795 by exchange made only £43 6s. 8d., but usually before that, even in 1796 and 1797, made £60. Many of the best informed of my readers will learn for the first time that these "pensions" were forwarded regularly until the Pope was driven into exile; whether they were renewed after the return of Pius VII. I have not been able to ascertain. The bounty of the Holy Father was always distributed so dis-

1798, Dec. 27. James O'Shaughnessy writes to inform Dr. Bray that on the 20th he received Concanen's letter of Nov. 3rd, with the Bull appointing him coadjutor. Dr. M'Mahon fixed Sunday, the 13th Jan., 1779, for the consecration, at which "he hopes your Grace will assist and officiate."

1799, Jan. 17, 18, 19. Attended at the meeting of the Roman Catholic prelates, held in Dublin, "to deliberate on a proposal from government, of an independent provision for the Roman Catholic clergymen of Ireland, under certain regulations, not incompatible with their doctrines, discipline, or just influence."\*

creetly, that few, except the Irish bishops themselves, seem to have been aware of the subsidies thus sent from Rome. The date of the following letter makes it doubly interesting.

"Thurles, 7th July, 1798.

"MY VERY DEAR AND HONOURED LORD,

"I am most indebted to your Lordship for Monsignore Erskin's address. Agreeable to our resolves at Killarney I wrote to him, and I forwarded a copy of our instructions to the clergy. I am happy to understand the County Cork is so tranquil. This county is perfectly so; and I hope the cursed spirit of Defenderism will be soon annihilated all over the kingdom.

"Young Ryan, my priest, brought home six copies of Rev. Mr. P. Brien's sermons. I would be glad to know the price of them, of the crucifixes your Lordship has for me, and of the other crucifixes that have been sent me from the convent, that I may send at the same time payment for them all.

"The morning I left Killarney I received a letter from Dr. Troy, about the last remittances from Rome to us; but I find the accounts thereof so complicated, and so many private dealings included with your Lordship, Doctor Copping, and other prelates, that I shall leave to his Grace the settlement of them, and have nothing to do with the distribution of said remittances.

"Young Luby, brother to the nuns, wishes to go immediately to Lisbon, to pay his pension in the Irish or some other college there, and to try his vocation for the ecclesiastical state. His father and I approve of the plan; and I request your Lordship will be so good as to inform me if there will be soon from Cork a convoy to that port, that may render his passage safe, and if he could easily get a pass from Cork. How comes it our instructions to the Clergy have not yet appeared in any public print?

"Your Lordship, I suppose, has received Dr. Troy's late Instructions and excommunication against the Defenders. I consider it a bold and strong measure. Adieu, my dear Lord.

"I remain, with unalterable attachment, your Lordship's truly devoted and affectionate humble servant,

"THOMAS BRAY.]

"Dr. Moylan, Cork."

[\* The resolutions adopted, which may be seen in the numberless pamphlets of the day on the great question of the *Veto*, have been often strongly censured and justly. The prelates who sanctioned them, made the best reparation in their power afterwards (see resolutions of 1808 and 1810 below, p. 378). It is due to their memory to remember also the circumstances of

1799, July 1. Dr. Bray, in reply to urgent appeals to procure *discreetly* Catholic signatures in favour of Union in Tipperary and Waterford, says that Lord Castlereagh, at whose instance this application was made, should know that he, as a Catholic bishop, had little influence. The Union might prove to be a useful measure, but bishops injure their own character and the cause of religion by interfering against the wishes of the people. It is plain that Dr. Bray intended this answer as a polite refusal. A few days after he received a letter from the archbishop of Tuam, expressing his fears lest some ecclesiastics should be seduced by the government into approval of its measures, particularly the Union, from which he anticipated the worst evils.

1800, May 17. Received from Cardinal Borgia notification of the appointment of Dr. Archdeacon to the sees of Kilfenora and Kilmacduagh.\*

1800, May 24. Letter to Dr. Troy, requesting to be informed of

the country when they held that meeting. An insurrection had been just put down with much cruelty, Orange yeomen were still in arms thirsting for blood and revenge, the Catholics unprotected and their lives threatened every hour, some priests charged with being actively engaged in rebellion, the houses of Catholic worship burned down and plundered in several districts; in short, there seemed to be no hope for the Irish people but in the protection of the English government, and no conditions appeared too exacting if that protection could be secured. It was this feeling also that led many well disposed Catholics to desire an union with England, because they saw no other means of resisting the bigoted Orange faction that then ruled this country.]

\* "*Illustrissime ac Reverendissime Domine.*

[*"Illustrissimus Dominus noster Pius Papa VII. Finaborensi et Duacensi Ecclesiis quibus R. P. Lucas Concanen sese abdicavit, pastorem dedit R. D. Nicolaum Archdeacon, virum suffragiis tuis mirifice commendatum. Dum S. hæc congregatio dominationem tuam de hoc ipso reddit certiore, fausta interim omnia a Domino tibi apprecatur."*

"Venetiis, 17 May, 1800."

The clergy of Kilfenora had strongly recommended the Rev. Mr. Archdeacon dean of that diocese, to Dr. Bray himself. As I may not have a better opportunity of alluding to Dr. Archdeacon's life elsewhere, I wish to give in this place some extracts from a letter written at the time in his favour by Dr. Dillon. Dr. Archdeacon was born in Cork, nephew of Mr. Redington of Killecoleman, and brother-in-law of Mr. Blake of Ballyglunin. "His mother was left a widow with this only son and a daughter, then almost infants, and remained with him in France till he was two years old, when she returned to her native country, and put him to school with Rev. Mr. Harrington, in the Great Island near Cove, where he studied until he declared for the ecclesiastical state, and went to the Irish College of Douay. He pursued the course of philosophy and divinity there under my inspection during the space of five years, and when I found it necessary to quit that unhappy country, he still remained in the college



the particulars of Lord Dunboyne's death and the provisions of his will; specially the value of the Meath estate left to the trustees.

1802, Feb. 2. Dr. Bray to Dr. Moylan, informing him that he had written to Rome against the appointment of Dr. Walsh as coadjutor to Dr. Hussey. The latter had made himself so odious to government by his "fatal pastoral," that any priest recommended by him would be suspected.\* Dr. Walsh would not be well received,

for upwards of twelve months, till he was thrown into prison together with the masters and students of the English houses who happened to remain. After some months confinement he made his escape to Louvain, where he continued his studies in the Liege College, till the French entered Brabant, when he returned to Ireland. He received subdeaconship and deaconship during my stay at Douay, from the bishop of Bruges, and was ordained priest by the nuncio at Brussels, in virtue of dimissorials granted by Dr. Moylan. Since his arrival in Ireland he laboured in my former diocese, with the consent, or at least connivance of his former bishop."—*Edward Dillon, A.B., Tuam, to Thomas Bray, A.B., Cashel, Abbeyland, Dec. 7, 1799.*]

[\* Dr. Bray calls the pastoral "rash," in another letter now before me. Dr. Hussey's best friends sometimes disapproved of his conduct. The time was unsuited for the open and manly avowal of truth. It was even dangerous to assume the dignity becoming a Catholic bishop. Dr. Hussey gave, therefore, great offence, not only by the "Pastoral" and a "Good Friday Sermon," in which he announced the speedy emancipation of the Catholics and the downfall of sectarians in this country, but also by renting a good house in Waterford, and living in a style superior to that of his predecessors. He established new schools, founded new convents and hospitals, and endowed them liberally; he proved himself, in short, fearless in deed as in word. One time he went to Clonmel, to demand the release of a Catholic soldier, under military sentence, who refused to attend Protestant service, or receive religious instruction from a parson. It was in 1798. On entering the gaol, the officer in command refused to admit the good bishop, and used the most insulting language towards him, adding that he would horsewhip him through the streets were it not "for his coat." "You wear the coat of a brave man," said the bishop, "and no one but a coward ever uttered such a threat; I dare you to touch me." "You shall not remain here, sir," cried the officer sulkily;" "nor the soldier either," replied Dr. Hussey, "for I shall report your conduct this day and obtain his release." He did write immediately to Lord Portland, and the soldier was discharged from prison. The services rendered by Dr. Hussey to this country in the dispute with Spain on the Sierra Leone question were well known and appreciated by the Duke of Portland, at whose recommendation he enjoyed a pension from the crown down to the time of his death. The spies, who knew nothing of the high esteem in which he was held by English statesmen, complained bitterly of his violence, while Dr. Hussey, conscious of his own influence, sometimes spoke and acted more boldly than his brethren. If we make due allowance for the difficult position he filled, we shall find little to censure as "rash" or imprudent in his conduct. Even the government officials at last acknowledged the purity of his principles; at his funeral procession the soldiers were allowed to attend, and his remains were interred with military honours. Dr. Hussey is buried in the south side of the chapel yard, Waterford, with this inscription—

too, because he had been in France during the revolution, and known to some of the leaders of that movement. Besides, his presence there just now would be most useful to the Irish Church, as he might be enabled to recover some of the property of the Irish colleges.

1802, Sept. 4. Cardinal Borgia, Prefect, asks archbishop of Cashel whether Dr. F. M'Carthy, a Ludovisian student, P.P. and V.G. of Cork, so strongly recommended by Dr. Moylan for the coadjutorship of Cork, deserved all the praises bestowed by the archbishop himself and six other prelates in 1797, when they proposed him for Kerry.

1802, Nov. 6. Dr. Bray in reply speaks highly of Dr. M'Carthy's merits as a pious priest and effective preacher.

1802, Dec. 13. Spent a week in Dublin, trying to prevail on Lord Llandaff to give a lease of house and garden. "The only compliment I could gain was, that my name should be inserted as trustee of the chapel."

1803, March 19. Cardinal Borgia thanks archbishop of Cashel for his prompt reply with regard to Cork. The brief appointing Dr. M'Carthy coadjutor is sent by this post.

1803. Dr. Bray strongly recommended the Rev. Mr. Keating for the see of Waterford, but the Rev. John Power, proposed by him also, was appointed in the Congregation of December 12th, and confirmed by his Holiness on the 20th. Dr. Power had the support of Drs. Troy and Moylan.

1807, March 7. On receiving an account of the death of Dr. M'Mahon (letter Feb. 28th) from Dr. O'Shaughnessy, Dr. Bray writes a beautiful reply, exhorting him to labour in season and out of season for the instruction and sanctification of his flock.

1807, Nov. 4. Dr. Bray (letter to Dr. Moylan) hopes to have chapel roofed by next spring; expects aid for that purpose from Mr. Butler, out of respect to the memory of his brother, the late venerated archbishop.

1808, Aug. 18. Thomas Gorman, secretary of Catholic meeting at Clonmel, sends Dr. Bray five resolutions, approved at said meeting, one of which named sixty Catholics of the county as a committee for preparing petitions to parliament. The archbishop was unanimously chosen first member of committee.

1808, Nov. 7. Richard O'Donnell, dean of Ossory, sends address of Kilkenny Catholics to Dr. Bray, thanking prelates of late synod

tion on the slab over his grave—"D.O.M. Hic jacent sepultæ exequiæ mortales Revmi. et Illusmi. Thomæ Hussey S.T.D., qui per septem annos Eccles. Waterford. et Lismor. rexit. Obiit anno 1803, die Julii 11mo, ætatis 62. Requiescat in pace."] ]

for their resolutions.\* This address was prepared by Rev. E. Now-

\* [See Brennan, vol. ii., p. 357, for the address.

Resolutions passed at a general meeting of the bishops, Dublin, 14th and 15th Sept., 1808:—

“ Dublin, 14th and 15th September, 1808.

“ At a general meeting of the Roman Catholic archbishops and bishops of Ireland, the following resolutions were agreed to unanimously:—

“ Resolved—That it is the decided opinion of the Roman Catholic prelates of Ireland, here assembled, that it is inexpedient to introduce any alteration in the canonical mode hitherto observed in the nomination of Irish Roman Catholic bishops, which mode long experience has proved to be unexceptionable, wise, and salutary.

“ Resolved—That the Roman Catholic prelates pledge themselves to adhere to the rule by which they have been hitherto uniformly guided, namely, to recommend to his Holiness only such persons as are of unimpeachable loyalty and peaceable conduct.

“ Resolved—That the satisfactory explanation of Right Rev. Dr. Milner's conduct in a late arduous transaction, as received from him this day through a specially deputed friend, most amply proves to us how grossly he has been misrepresented in certain newspaper publications. We are fully convinced of the unblemished rectitude of his principles, of the purity of his intentions, and of his disinterested zeal in the Catholic cause; and we hereby entreat him to accept our warmest thanks for his powerful and unwearied exertions in promoting it.

“ Resolved—That the thanks of the meeting be given to the Right Hon. Earl Fingal, R. M'Donnel, D. T. O'Brien, Esqrs., and the other gentlemen who co-operated with them in establishing the lay College of Maynooth, and that the secretary do communicate the same.

“ Resolved—That the trustees of Maynooth College be requested to order the printing of Dens' 'Course of Theology' for the use of said college; it is agreed that each prelate should take a certain number of copies of said work.

“ Resolved—That the thanks of the meeting be given to Dr. De La Hogue, for publishing his treatise 'De Religione,' and that this resolution be communicated to him by the president of the College of Maynooth.

“ Resolved—That the bishops do enforce the decree of the Council of Trent, regarding the accurate registry of baptisms and marriages.

“ Resolved—That every priest attending a clergyman in danger of death, be required to insist on said clergyman's delivery into safe hands the register, sacred vessels, and ornaments belonging to the parish of which he is the pastor or curate.

“ 16th September.

“ Resolved—That the four metropolitans (as soon as conveniently it can be done) do communicate the first and second resolutions to the Holy See, under their hands and seals.

“ Resolved unanimously—That Right Rev. Dr. Milner be requested to act as agent to the Roman Catholic clergy of Ireland at the seat of government, agreeably to such instructions as he may occasionally receive from the archbishops, in concurrence with their suffragans.

“ PAT. RYAN, Secretary.”]

lan, afterwards dean of Ossory, and his nephew, Rev. P. Kelly, afterwards bishop of Waterford.\*

\* [Dr. Patrick Kelly, bishop of Waterford, was uncle of the late Rev. M. Kelly, D.D., Professor, Maynooth College; and the Editor is anxious, therefore, out of respect to the memory of a dear friend, to avail himself of the earliest opportunity to correct erroneous statements, put forward in a recent publication, reflecting too severely on the good bishop's character. The sketch of his Lordship's life given here must be necessarily brief, but it is sufficient, we hope, to refute the charges to which we have alluded.

Dr. Kelly was born April 16, 1779, went to the old academy in 1795, and thence to Lisbon in 1797. At the urgent request of his bishop, he returned to Ireland August 11, 1804. His first mission was Johnstown, where he laboured most successfully for two years and a half; then the Rower. In 1811 he was appointed Professor of Philosophy in Madlin Street, and in 1815 Professor of Theology and President of Birchfield in place of his uncle, the Very Rev. E. Nowlan, who became P.P.

Dr. Kelly was consecrated bishop of Norfolk, Virginia, United States, August 24, (26?), 1820, and left Kilkenny for his diocese October 9, same year. He sailed from Dublin, and after a rough and tedious voyage of sixty days reached New York, December 24, 1820. Proceeding thence by land to Philadelphia, where he stopped six days with Bishop Connell, he passed through Baltimore, waited on the archbishop, "who," he says in a private letter to his brother, "did not receive me over kindly, and tried to persuade me it would be dangerous to take possession of my see; but his arguments did not satisfy me, and I arrived at Norfolk on Friday, the 19th January, 1821. On the Sunday following I said Mass, when the regular and well-disposed Catholics met and published my Bull from the altar. Since that period I have been negotiating with the other party who were in possession of the church. On last Sunday (Feb. 4) the keys were sent to me and delivered at the altar whilst I was addressing the people, so that matters are likely to be soon settled entirely to my satisfaction." In a very short time, within less even than two months, the difficulties which the archbishop of Baltimore dreaded so much, and which he should have resisted from the beginning more firmly, were quietly removed by Dr. Kelly's zeal and prudence. He won the esteem and affection of both contending parties, united them firmly together, and suppressed almost immediately a dangerous schism. Hence, when the news of his being postulated for unanimously by the chapter and clergy of Waterford reached Norfolk, and the bishop's declared intention of returning to Ireland if solicited by the Holy See became known, his lordship found it necessary to warn his friends not to send the Bull for his translation through the post-office to America, because he would not be much surprised, he said, if measures were taken to prevent his receipt of the Bull; especially as he knew such things to have occurred before. "It does not appear to me," he writes to his brother, Mr. James Kelly, Madlin Street, "a matter of very great importance whether I perform my pilgrimage through life on this side of the Atlantic or on yours. Yet I must confess, my own feelings and my knowledge of this country considered, I do give the preference to yours." This letter was written Feb. 22, 1822, the very day on which the translation was decreed in Rome; and which was celebrated afterwards as the anniversary of his translation. Dr. Kelly

1808, Nov. 9. James O'Shaughnessy, bishop of Killaloe, is happy to hear from Dr. Bray that the resolutions of the bishops precluded all hope of the *veto* for the future; "and, my Lord, to the decided part you took this is in a great measure due."\*

left Norfolk June 14, 1822, and arrived at Holyhead July 14th, and Dublin July 15th, same year. The priests and people of Waterford received him with marked demonstrations of respect. Their kindness made a lasting impression on the good bishop's mind, who resolved more firmly than ever to devote himself from that day without reserve to the temporal and spiritual good of his people.

In the struggle for Emancipation Dr. Kelly used his immense influence in opposing the bigoted faction that held the representation of the county, and perhaps promoted more than any other Catholic bishop, the cause of the Liberal party. No prelate still applied himself with more energy to the spiritual interests of his flock, and no one was regarded with more reverence by the clergy over whom he presided.

Dr. Kelly died at 7 a.m. on Thursday, the 8th October, 1829, of inflammation of the lungs, caused by exposing himself to cold while attending an office and funeral on the Wednesday week previous. Some days before his death, his Lordship received the last rites of his Church with edifying piety, and devoted himself afterwards constantly to prayer, retaining the full use of his faculties up to the last moment.

Within the cathedral of Waterford, facing the altar, is a beautiful monument in black marble, with this inscription:—

"H. S. E.

"Revmus. Patritius Kelly, Ecclesiæ Waterford. et Lismorensis Episcopus,  
"Quam cum per 8 circiter annos integerrime rexisset, obiit annum agens 52,  
viii. Id. Octobris, MDCCCXXIX.

"Præsul antiquæ prorsus fidei, amore erga patriam, et singulari admodum  
religionis studio insignis.

"Illustrissimo Patri ac desideratissimo mœrens posuit.

"Clerus populusque Waterfordiensis."

"Thurles, 23rd January, 1810.

\* ["MY VERY DEAR AND HONOURED LORD,

"I have received your last favour, for which I thank your Lordship, and for your favourable opinion of my abilities to act as deputy from the clergy in England, on the approaching important business of the *new veto*. I can assure your Lordship I know myself altogether unfit for such an employment, and I have too much at heart the interest and success of our holy religion to undertake the management of it, even with so respectable, so zealous, and so learned an advocate as the primate. But I hope there will be no occasion to depute any for the purpose, and that some measure more effectual will be devised at our next general meeting in Dublin, of which, I understand from Dr. Troy, your Lordship has got notice. I highly approve of said meeting, and I hope God will favour it with a blessing, as he had done our former meeting on the same subject. It distresses me not a little to learn from your Lordship that the ministry has not relinquished the plan of subsidizing the Catholic clergy. I see the new projected *veto* is not the only evil we have to encounter—*undique*

1809, July 11. Dr. Bray assured General John Lee that the rumour regarding the rising of the Orangemen to murder the Catholics did not reach Cashel. It would not be credited by any of his flock.

1810, Feb. 24. A meeting of the Roman Catholic prelates assembled in Dublin, declared their unalterable adherence to the resolutions of September, 1808. The address to the clergy and laity of the Catholic Church in Ireland published on this occasion, was

*angustiae*; but I trust the Lord will deliver us from all the machinations of our enemies. I shall wave all further reflections on these points—I mean of the *new veto* and *subsidizing us*—until said meeting, which I am confident, if health and weather will permit, your Lordship will attend.

“Since I left Maynooth I have not heard a syllable on the Connaught business from any quarter, not even from Dr. Archdeacon; but I suppose we shall know the whole about it when we go to Dublin. If matters are not settled there, the opportunity will be then very favourable to bring them to a final issue.

“The ladies of the nunnery and this house are truly thankful for your Lordship’s kind remembrance of them, and are desirous that I assure your Lordship of their humble respects and Miss Moylan of their best regards, in which they are most sincerely joined by, my very dear and honoured Lord, your affectionate humble servant,

“THOMAS BRAY.

“Dr. Moylan, Cork.”

Among the southern bishops the most stern and uncompromising opponent of the *Veto* was Dr. Coppinger (born May 20, 1753, in city of Cork; *alumnus* of Lisbon; P.P. of Passage; consecrated coadjutor as *Epus. Azierensis*, 28th Sept., 1788; succeeded 4th June, 1791; died August 10, 1831). Dr. Bray subscribed the resolutions of 1799, as we have seen; so did Dr. Moylan; Dr. Power would not consent to any terms that admitted Protestant interference, but sometimes was not so much opposed to a *Veto* if exercised by a Catholic committee; the other prelates did not take a very active part in resisting the different plans proposed. Dr. Coppinger alone uniformly protested against every compromise.

“Midleton, Nov. 11th, 1808.

“MY DEAR AND HONOURED LORD,

“... With regard to the discontent of our Catholic aristocracy at the late resolutions of our bishops, it proves, in my mind at least, that these gentry are more interested in their individual aggrandizement than they are in the welfare, or, perhaps, in the existence of Catholicity in Ireland. The more I have reflected upon this matter, the more settled is my conviction that even the negative interference would destroy our religion here. The king certainly neither knows nor cares anything about the fitness or unfitness of our priests for the prelacy. Governors of counties, parliament squires, Duignans, Eagers, etc., etc., would be exclusively active for the respective objects of their choice. The very qualities which Catholic electors would look to—zeal, piety, learning, rigid virtue, and exemplary conduct—would be sufficient ground of rejection with these men: for this obvious reason, that bad bishops would be more efficient

signed by every one of the bishops present at the meeting of 1799 except Edward Dillon, since then deceased.

1812, April. Month's mind of Dr. Lanigan, at which were present Drs. Troy, Murray, Bray, Delany, Power, and Ryan. "Mr. Marum is likely," Dr. Bray writes "to be the new bishop, being supported by Drs. Troy and Murray. He shall have my best wishes, but he is not the object of the clergy's choice."

1812, July 21. Vote of provincial chapter of Dominicans, held in Dublin, unanimously electing Dr. Bray protector of the privileges of the order in Ireland, signed by P. Gibbons, provincial elect; John M'Gauran, prior, Dublin; Bryan Nowlan, prior, Drogheda; and Michael O'Finan, prior of Waterford.

1812, Nov. 18. The Roman Catholic prelates at synod in Dublin, approve again the resolutions of the last general meeting (February, 1810), and being at present precluded from any intercourse with

in the *projected ruin*. Again, if in Dr. Milner's plan they should be limited to his *reasonable number*, viz., three or four rejections, the bare power of laying aside four of the most worthy and best qualified men in every diocese in this kingdom, is a most tremendous concession. How many sees in Ireland which have not even two men fit for the prelacy? Unfit men will, of course, be appointed, and what deplorable injuries must thence result to religion in the lapse of time. With regard to limiting the executive to the single point of loyalty, were it *practicable*, these subtle malignants will contrive to make every one of the above episcopal qualities to clash with their notions of loyalty, and continue objecting till they get their immoral blockhead—their drunken infidel—their cringing, tale-bearing, sycophant consecrated. But the above limitation is impracticable. The usurped ecclesiastical headship of Henry has descended to his successors. What we should deem a *concession*, would in interpretation of law be pronounced a *right*. The courts would sneer at our limitations; we should be scouted, silenced, and contemptuously dismissed. Moreover, it is notorious that ministers and men in power have been long, though very unwisely, representing the chief magistrate to the Catholic population of Ireland as the settled, irreconcilable enemy of their religion; and it is also notorious, that that unfavourable idea is almost indelibly imprinted upon our poor people. What, then, can be their confidence in, or their respect for, a bishop presented to them from that quarter, or for the clergy set over them by such a bishop; and what must those have to answer for to the sovereign Judge who can deliberately lend themselves to so ruinous an innovation? I trust his Holiness will be fully and fairly put in possession of the real state of the case by prelates of more weight than, my dear lord, your devoted humble servant,

"W. C.

"Most Rev. Dr. Bray."

The documents to and from Rome on the Veto, after 1814 particularly, have not been collected as yet, and the whole history of that question remains to be written. I purposely omit giving extracts here, because I hope to bring together in Appendix to vol. ii. of this work many unpublished papers on this interesting topic.]

the Pope, feel themselves incompetent to propose or agree to any change in the long established mode of appointing Irish Roman Catholic bishops.\*

1813, Dec. 9. Dr. Troy is authorized by Primate O'Reilly, in answer to Dr. Bray's application, to sign the postulation for Dr. Everard.†

\* [See declaration in Appendix C.]

† ["With Dr. Everard I was intimately acquainted, as he was the cousin-german of two of my brothers-in-law, the Messrs. O'Meagher, of Kilmoyle and Morlhill, near Cahir and Cashel. His family was a branch of that of the Everards of Fethard, baronets of early creation. In the town of Thurles he was born in 1751, and in 1775 proceeded to Salamanca for his ecclesiastical studies, where he succeeded in the Irish College the late primate, Dr. Curtis, as he himself was subsequently succeeded by Dr. Murray. On returning through Bordeaux, in 1782 (I think), he visited the cathedral of the city, the church of St. André, and the clergyman whom he happened to meet was so struck with his manners and appearance, that he introduced him to the canons then about assembling, and in a few days the president (the Rev. Mr. Glyn) of the Irish College, established in the previous century by Anne of Austria, the mother of Louis XIV., wishing to retire, Dr. Everard, young as he then was, was induced to accept the situation, with the sanction of the archbishop, M. De Ceci. Many of the students were his seniors in age; but he maintained the strictest order, and during his residence there his conduct was in every respect most creditable to himself and to his office. Of course, the Revolution storm could not pass innocuously over the head of a religious institution, and most imminent indeed was his danger. Of it I can speak authoritatively, for I then resided in the city. An armed band, sent to seize his person, entered the house. When made aware of their purpose he attempted to escape, but was stopped. Fortunately, his soutane was old and worn, so that it gave way in the grasp of the revolutionary messengers, and Dr. Everard, or, as he was then named, the Abbé, knowing the intricacies of the house, contrived to evade the attempted pursuit. Concealed for a few days in a friend's dwelling, he eventually passed the frontiers to Spain, and thence found his way to England. Meanwhile his old predecessor was caught in the act of saying Mass in a private house, dragged to prison, though in his 80th year, with several women who, as well as an old clerk, had assisted at the Mass, and were executed the next day. I witnessed the execution, which was accompanied with some circumstances of a revolting nature, but foreign to our purpose. It was in May, 1794, shortly after my own liberation from a long confinement. The establishment was then suppressed, and has never been restored.

In the course of years Dr. Everard opened an establishment for the education of young gentlemen at Ulverstone, in Lancashire, to which some of the first Catholic families sent their children from various parts of the empire, until he was appointed president of Maynooth College, June 29th, 1810, a situation which he resigned, June 25th, 1812, on Dr. Murray's appointment. He was soon, however, named coadjutor, and then, as well as after Dr. Bray's death, kept the diocese in strict discipline. In 1823, March 31, he died."—Letter of James Roche, Esq., Cork, to J. W. Hanna, Esq., March 31, 1849.

Lives of bishops appointed since 1800 do not come within our prescribed



1814, June 15. Cardinal Litta revokes all the extraordinary faculties granted to Irish bishops.\*

1814, Oct. 4. Fr. John Connolly announces to Dr. Bray the appointment of Dr. Everard in congregation of Propaganda, held on 19th Sept., sanctioned by the Pope on the 25th Sept., and his brief will be forwarded before 20th Oct., by Dr. Murray. Dr. Kelly was named to Tuam, and Father Connolly himself to New York, in the same congregation.

1815, Sept. 9. Dr. Power† is glad that the archbishop of Cashel left Tramore improved in health and in good spirits. "At the meeting in Dublin (on *Veto*) the spirit of resistance was high, and indeed general; the resolutions sufficiently show it. The Pope will not make it imperative. His Grace of Armagh, in a conversation I had with him, declared that, if the Pope ever ordered him to consecrate a bishop elected on the *Veto* arrangement for any diocese, that he would remonstrate, and rather than comply resign his crozier. This must be allowed to be firm and decided. The Pope seems to have as yet ordered nothing, but only permitted. Rome, humanly speaking, cannot now well refuse England anything. His Holiness may wish us to oppose, and thus get himself rid of a refusal by throwing the brunt on us."

1816, March 29. Dr. Murray passed through Ulverstone, at Dr. Everard's request, where he found him dangerously ill. Dr. Everard charged him to resign the coadjutorship of Cashel and Emly, as he felt unable to discharge the duties. Dr. Murray advises his Grace to accept resignation.

1816, Oct. 10. Dr. Everard writes from Dublin, where he is just arrived greatly improved, and ready to proceed to Cashel, to get Dr. Bray's blessing.

1819, Sept. 18. Card. Fontana requests Dr. Bray to exhort the Irish bishops to use every exertion against the establishment of schools by proselytising societies, and to build Catholic schools by weekly contributions.

[Since the early part of 1813 Dr. Bray's strength failed rapidly. He attended the general meeting of bishops in Dublin, Nov. 18, 1812, in his usual health; but after the meeting of May 26, 1813, he suf-

limits, as stated in preface, but we wished to preserve some documents regarding even them, which, if not collected in a work like the present, may be lost for ever.

\* See Appendix C.

† The inscription in the churchyard of Waterford sets forth that Dr. Power "was consecrated bishop of the united sees of Waterford and Lismore on the 25th April, 1804, and died on the 27th January, 1816, being fifty-one years." Within the cathedral, at its lower end facing the altar, is an elegant white marble monument to his memory, erected at the expense of his "fellow-citizens of every religious denomination."]

fered much from severe cold caught on the journey home. Any slight exertion afterwards brought on painful attacks of lumbago. His sufferings were, however, much lightened by the affectionate sympathy of his colleagues in the episcopacy, and by the kind and filial attentions of his coadjutor. "Of poor Dr. Bray's illness," writes Dr. Coppinger,\* "I heard only casually through Dr. Crotty. May God restore that good and amiable man." Dr. Moylan, when unable to sign his own name from exhaustion, used to put his mark to the letter, written by his order, to express his tender solicitude for the archbishop's health.† The same anxiety was manifested by the laity—both Protestants and Catholics. Dr. Bray's dignified deportment and amiable manners, his faithful discharge of all his pastoral duties, never yielding to fear when firmness was required, though always moderate, and, perhaps, naturally of timid disposition, even his venerable appearance with long-flowing, snow-white hair, impressed all classes with respect for his person and sacred character.‡

[\* Letter to Dr. Moylan, Oct., 1813.

† Letter of John Murphy, archdeacon (1815, Feb. 10), to Dr. Bray, in which is announced, also, Dr. Moylan's death "at half-past one, p.m., this day."

‡ In the first week of September, 1810, Dr. Bray held a synod of the clergy of Cashel and Emly, the acts of which, with other matter, were published by Hugh Fitzpatrick, Dublin, 1813, in two vols. 12mo. Of these I will give here a brief account:—

In the first vol. we have an Index of Contents, with a short Dissertation *de utilitate Synodi Diocesanae*; second, *de Sacramentis in genere*; third, *de Baptismo, Conf.*, etc.; p. 103, a Pastoral Letter against abuses at wakes; p. 111, succession of the archbishops of Cashel, and a brief notice of each, referred to always in this work; p. 114, a like list of the bishops of Emly; p. 119, names of Chapter of Cashel and Emly; p. 119, names of priests and parishes ditto; Regulations adopted at provincial synods of the Roman Catholic prelates of Munster, at Limerick, in 1808, June 17; and at Cork, 1808, August 23, all drawn up in English.

(The decrees of both meetings in an *amended form* were read and adopted at a meeting of the bishops of the province, held in Fermoy, the 6th of May, 1828, and two following days, Dr. Laffan presiding. See *Statutes of Limerick*, published 1842, by order of the Right Rev. John Ryan).

P. 129, the resolutions of Limerick and Cork signed by the same bishops, (except Dr. Sughrue, present at Cork only).

T. BRAY, Cashel

W. COPPINGER, Cloyne.

J. O'SHAUGHNESSY, Killaloe,

F. M'Carthy, *Antinoe in partibus*.

F. MOYLAN, Cork.

J. POWER, Waterford.

C. SUGHRUE, Kerry.

P. 173, beginning of vol. ii. (paging of vol. i. being continued) Instructions on Confession, by the late Most Rev. Dr. James Butler, to be read after the gospel on the third Sunday of Lent, and on the first Monday in October, by order of the Most Rev. Dr. Bray; p. 202, Dr. Bray's advice to Confessors;

In the *Freeman's Journal* of Friday, Dec. 15, 1820, Dr. Bray's death is noticed thus:—

“On the 9th instant, the Most Rev. Dr. Bray, Roman Catholic archbishop of Cashel and Emly. He filled the important station to which Heaven called him with a full display of every virtue that could adorn the prelate. His mildness and benignity have endeared him, during a long course of life, both to his clergy and flock, and he is gone to a better world crowned with the blessings of his people. He departed this life in the 74th year of his age, twenty-eight of which he presided over the archdiocese of Cashel and Emly.”

EPITAPH OF DR. T. BRAY, ARCHBISHOP OF CASHEL.

I. H. S.

O Lord have mercy on the soul  
of

Most Rev. Thomas Bray,  
Whose mortal remains  
Are here interred.

He was consecrated  
On the 3rd Sunday of October, 1792,  
And died on the 9th of December, 1820,  
In the 74th year of his age.  
May he rest in peace.]

p. 207, Instructions on Matrimony; p. 230, on Patterns; p. 237, on Stations; p. 247, on Communion—on Confraternity of Blessed Sacrament; p. 284, decree establishing these Confraternities, in a Latin letter from Dr. James Butler, Thurles, 1st Nov. 1778, approved again by Dr. Bray, and concession of Pius VI., Jan. 25, 1779; p. 298, Instructions for Lent; p. 328, on the Acts of the Divine Virtues.

## ARCHBISHOPS OF TUAM.

### THOMAS O'MULLALY.

[AFTER the demise of the celebrated Maurice O'Fihelly, in 1513, Thomas O'Mullaly succeeded to the see of Tuam, being appointed thereto on the 19th of June, 1514.\*

The only remarkable event of his life, recorded by our annalists,† is the synod over which he presided at Galway, 1523, the acts of which are lost. In Hardiman's "Iar-Connaught" is preserved a deed of endowment granted by Richard Edmund De Burgo, in 1517, to the order of Hermits of St. Augustine, approved and signed by "Thomas, Metropolitan of Tuam."‡

"Archbishop Laly, or Mullaly, died on the 28th April, 1536, and was buried in the Franciscan church of Galway, under the same monument with his predecessor, *Maurice*."§]

### DENIS O'DWYER.

[I INSERT this prelate's name among the archbishops of Tuam, because it is so given in the lists of L.F.R., without reference, however, except to MacGeoghegan's *Histoire d'Irlande*, tom. ii. p. 303, who calls him expressly *archbishop of Tuam*;|| *State Papers*, vol. iii. p. 137, where Allen complains that the archbishopric of Tuam, and such dignities, are given by the Pope of Rome to others than those appointed by the crown:¶ one of the others appointed

\* Annal. Min. Wadd. *opera* Josephi Mariæ Fonseca, Romæ, 1736, tom. xv. p. 422, *sub. an.* 1510.

† Archbishops of Tuam, p. 615 (Harris' Ware.)

‡ O'Flaherty's *Iar-Connaught*, edited by Hardiman, p. 243.

§ Ware, *ibid.*

|| He was son of Edmund, and brother of John O'Dwyer, and descended of the ancient and noble house of the O'Dwyers of Cailenamanagh, county Tipperary.

¶ J. Allen to Cromwell: "The archbishopric of Thome, and such other promotions as the kingis majestie hath given anywhere under the rules of the commendacions, the bishop of Rome have given them to others, whom they mayntayn."

by the Pope being, perhaps, O'Dwyer; and Wadding's *Annals*, in which the name of Denis O'Dwyer (called by some writers, he tells us, Demetrius, or Darby), bishop of Mayo, is entered under the year 1574.\*

Beyond these very unsatisfactory allusions, I have not been able to find the least trace of the time of this good bishop's election or death. It is very doubtful, I think, whether he ever presided over the see of Tuam. He is not only unnoticed among the archbishops of Tuam by Ware, but if we follow his computation, there could be no time for another appointment between the death of Mullaly, in April, 1536, and the accession of Bodkin the February following. It seems very strange also that none of our early Irish annalists should make the least allusion to O'Dwyer, if *archbishop of Tuam*. Against the first point—the silence of Ware—it has been urged that he studiously passes over bishops appointed by the Pope to sees occupied by the nominees of the crown, and that therefore O'Dwyer might have governed the see of Tuam by authority of the Pope, whilst Bodkin enjoyed the temporalities by favour of Henry VIII. Bodkin might have been promoted to Tuam it is said, just as Brown was elected to Dublin and Devereux to Ferns, without the least reference to Rome. But this solution adds greater weight to the second difficulty, and supposes what, as we shall see just now, has not been and cannot be proved, that Bodkin ever renounced the authority of the Pope.

O'Dwyer was, I have no doubt, bishop of Mayo, and the predecessor of Patrick O'Hely in that see. The entry in Wadding would alone suffice to prove this. Ware's assertion that Mayo was annexed to Tuam on the death of MacBreohan, in 1559, is quite unfounded, and opposed to the almost unanimous testimony of the most distinguished Irish writers. Even Dr. Lynch, whose anxiety to support Ware is too evident, admits that Patrick O'Hely was appointed to Mayo by Gregory XIII. after MacBreohan's death.† All our annalists, indeed, O'Sullivan, Rooth,‡ Wadding, White, Bruodin,

\* *Annal. Wad. Contin.* a P. F. Cajetano Michelesio Asculano, tom. xx. p. 398, *sub an.* 1574. Dionysius Odierra promotus ad ecclesiam Mayonensem in Hibernia, ut legi apud Rodulphum. At in viridario seraphico Petrii Antonii, de Venetiis, episcopum hunc appellatum invenio Demetrium Hibernum.

† Lynch says (MS. p. 7 of the *Alithinologia*, printed copy, p. 91), the appointment took place in 1559; but this is, no doubt, a clerical error for, perhaps, 1575, since Gregory was not elected until 1572, a fact that must have been known to so well-informed a writer as Lynch.

‡ “‘Epitome Tripartita (pars secunda) Martyrum,’ p. 63. Patricius O’Helius, Maionensis Episc. ex instituto D. Francisci, Guilielmo Drurio, justiciario gubernante, Siculaque feritate præcipiente, martyrii palmam gloriose consecutus est, cui latus textit fidissimus socius, Connanus alias Conaldus vel Conacius O’Roirk, ut cujus vitam habuit tanquam virtutis normam et exemplum, ejusdem imitationem mortis imitatione confirmaret. Ambo in patibulum acti Killociæ, 1577.”—Wadding's *Annals*, v. 276; *Hib. Dom.* p. 600.

etc., describe more or less minutely the martyrdom of this holy bishop. The union of Mayo and Tuam cannot, therefore, be dated before the death of O'Hely about 1579.\* His immediate predecessor

\* White says that "Pat Hely, a Franciscan, and bishop of Mayo, with his companion, Conagh O'Ruarke, were hanged this year for the faith at Kilmallock, by Sir Wm. Drury, Lord Justice. Said Drury died in three days after, being summoned by the bishop on his trial to meet him before the judgment-seat of God."—*Sub. an.* 1579. But Bruodin's account is the most minute, and agrees substantially with O'Sullivan's. (See *Propugnaculum Catholicæ veritatis*. Authore R. P. F. Antonio Bruodino, Pragæ, 1669, De Martyribus Hiberniæ, sub Elizabetha occisis, p. 433.) The additions from the latter are marked with inverted commas. Patrick O'Hely was a native of Connaught, and after practising every virtue from his youth, joined the Franciscan order. In the fifth year of his profession he proceeded to Spain, and entered the university of Alcalá, where he made great progress in sacred study. After some time he was summoned by the superior of the order to proceed to Rome, 'and resided in the convent of Ara Cœli.' Gregory XIII., then Pope, hearing of his consummate prudence, exemplary life, rare acquirements, and zeal for the Catholic faith, commanded him to be consecrated bishop of Mayo, 'in 1579.' After receiving many marks of special favour from his Holiness, besides abundant means for his journey, the holy bishop set out through France, on his way to Ireland. 'In Paris he defended the public thesis of that university, and acquired a great reputation for talent and extensive learning.' He had with him one companion, Fr. Conacius O'Ruarke, eldest son of Bernard O'Ruarke, prince of Brefsny, who despising the pleasures of the world, became a poor and humble Franciscan, and in that order led a holy and blameless life. They landed in Dingle, county Kerry. When they had rested a little from their long and weary voyage, the sheriff of Kerry ordered them to appear before the countess of Desmond, who, in the absence of her lord, held supreme authority in that district. Although a friend to the Franciscan order, and a Catholic in heart and soul, she feared to offend the Queen's ministers, or involve her husband, whose fidelity was already suspected. She therefore sent off the venerable bishop with his companion to Limerick, to have them examined before Goul-den, the Queen's zealous agent in carrying out her iniquitous designs in Munster. The strangers were confined by his order in a loathsome dungeon with the worst criminals, and then conveyed to Kilmallock before Drury, her Majesty's Chief Justice, who had them loaded with chains. On being examined, Patrick O'Hely confessed they were priests of the order of St. Francis; that he himself was bishop of Mayo, sent by his Holiness Gregory XIII. to guide and instruct the flock committed to his care. This was his calling, he said, and the only motive of his return to Ireland. 'Do you dare,' asked Drury, 'to assert the authority of the Pope against the just laws of the Queen and parliament?' 'I repeat what I said,' the bishop answered, 'and am prepared, if necessary, to die for the faith.' Father O'Ruarke replied to the same effect. Both were then sentenced to death without further inquiry; but to make their sufferings more insupportable, they were first scourged, so that their bodies were bruised and livid. The executioners cruelly drove sharp iron points and needles between the nails and the flesh, and tortured them to the last extremity. In the meantime the holy confessors bore patiently all their

in Mayo was Denis O'Dwyer, who perhaps was never permitted to visit his own diocese, and is thus so little known.]

### CHRISTOPHER BODEKIN.

[CHRISTOPHER BODEKIN, or Bodikyne,\* was consecrated bishop of Kilmacduagh at Marseilles, Nov. 4, 1533 or 1534, and translated to Tuam in 1536.† By Hardiman‡ this prelate is charged with admitting the king's supremacy under Henry VIII., and with apostasy under Elizabeth, on what we regard very insufficient grounds. That he denied the supreme authority of the Holy See in the reign of Henry is inferred from his styling the Pope "Romanus Episcopus," and that he conformed to the religion of the state in the reign of Elizabeth, from his retaining his see long after the parliament of 1560, at which he attended as a spiritual peer. Now, to any one well acquainted with the history of the Reformation in Ireland, these arguments will not appear very decisive. The most uncompromising advocate of the Pope's authority may call him "Romanus Episcopus." Hardiman himself quotes another original document, written by Bodkin in the reign of Queen Mary, which not only distinctly acknowledges the authority of the Pope, but also refers to the former period under Henry, "as the time of the past schism." Is

sufferings for the love of Christ, and mutually exhorted each other to perseverance. They were hanged on the 22nd August, 1578. As the bishop was being dragged off the ladder, and bound to the tree, he summoned Drury before the tribunal of God, the just Judge. On the third day after the martyr's death, the 30th August ('September'), the unhappy man died at Waterford, of a violent disease, confessing openly that he was punished by God for the unjust sentence he passed on the venerable bishop and his companion. Gerald Fitzgerald, earl of Desmond, ordered the martyrs' bodies to be reverently buried in the Franciscan church of Clonmel, hoping by this act of piety towards the dead to expiate his wife's guilt."

O'Daly says, "the bodies were removed to Askeaton, and buried in the Franciscan convent."—*Hib. Dom.* p. 601.

\* "The Bodkins of Galway were of the same family as the earls of Desmond and Kildare, being descended from Maurice Fitzgerald, earl of Windsor. The name is said to have been changed about 1300, in honour of a victory won by Thomas Fitzgerald over an Irish chieftain, by using a short spear called in Irish *Baudekin*."—Hardiman's *Galway*, p. 9.

† Ware's *Bishops*, p. 615,

‡ Hardiman's *Iar-Connaught*, p. 227. See also "The Validity of English Ordinations established," by Dr. Elrington, Provost of Trinity College, Dublin, p. 110. If the latter's assertion would be received as adequate proof, there were six apostate bishops in England and eight (?) in Ireland, who might be commanded by Elizabeth to consecrate Parker and his associates.

it not most unlikely that a bishop, himself deeply involved in the guilt of schism, would thus, without the least necessity, bring back the memory of his own shameful fall? As to Bodkin's presence in the parliament of 1560, and not being deprived after, we need but observe that while of the votes of individuals in that assembly nothing whatever is handed down, we have strong reasons for believing the laws enacted were never approved by the majority, and we have the clearest evidence to prove these laws were not and could not be carried out. The Catholic oath was taken during the whole of Elizabeth's reign,\* even in the boroughs within the Pale; the law enjoining attendance at Protestant service was at most partially observed in two or three counties under the eye of the government, and the suppression of the Catholic worship was confined to them also. Of the Catholic bishops, we find only two deprived of their sees—Leverous of Kildare, and Walsh of Meath—both of them within the Pale, where the agents of the crown might persecute with impunity. There is no proof whatever that the Reformation made any progress, in the west of Ireland particularly, until long after the death of Bodkin. Even in the *English* town of Galway Mass was celebrated publicly down to 1569.† Mr. Hardiman's charges are, therefore, not only unproved, but very improbable. Mr. Shirley, who published his collection of "Original Letters," for the purpose of showing that the true succession of bishops was *solely* preserved in the line of prelates *acknowledged by the state*, is more just to Bodkin's memory. "Of Christopher Bodkin," observes Mr. Shirley, "I can find but little account; but it would seem from his letter‡ he was attached to the *civil*, if not to the ecclesiastical Reformation of the realm." Bodkin's own words point out distinctly the "reformation" he desired, one that the country needed more than ever, "*all for lack of regemen and justice among them to be observed.*"

\* Primate Lombard, *de regno Hiberniæ* (from internal evidence, see pp. 266, 390, 395, written about 1600), says that none almost of the Irish deserted the faith; that under Henry, Edward, and Elizabeth, many of the Irish Catholics went to the Protestant churches; but they did so in ignorance, because the offices and worship were conducted in the usual Catholic way. Hence the Irish brought with them there their crosses, and beads, and sacred images, publicly professing thus their faith. He tells us the oath of supremacy was ordered to be taken; but it was not administered to the municipal officers by any of the cities and towns (p. 286). In *Galway*, the first recorded deposition for refusing to take the oath of supremacy was that of Oliver Browne, mayor, 1609, and in 1612 the office was vacant, because no Catholic would take the oath, and no Protestant could discharge the duties efficiently.—Hardiman, p. 212. See also two Artic. in *Rambler*, Jan. and Feb., 1853 (*a chap. in the History of the Reformation in Ireland*), by my lamented colleague, Dr. Kelly.

† Hardiman's *Galway*, p. 85. *Iar-Connaught*, p. 385.

‡ Letter W. (COLLECTION, p. 16), to Sir Edward Bellingham.



His congratulations on the triumphant progress of Bellingham, his petition to the Queen in behalf of others, even when her impious designs against the Church remained still somewhat secret, perhaps, to him, were, no doubt, unbecoming a zealous Catholic bishop and the friend and protector of the poor Irish; and if schism and apostacy meant only obsequiousness and servility, we should not care to vindicate Bodkin's character. But the gravest accusation against any man is that he denied the faith, and should never be made lightly, or received without overwhelming evidence.

Bodkin died in 1572, and was buried in Galway.\*]

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### NICHOLAS SKERRET.

[NICHOLAS SKERRET was a native of Galway, and descended, as was the whole tribe of his name, from a noble English family called Huscard, who settled in Connaught about 1242.† The same family gave another archbishop to Tuam, many years after, in the person of the Most Rev. Mark Skerret, translated from Killala in 1749.

The Irish historians, all of whom mention Nicholas Skerrett, archbishop of Tuam, supply very few particulars of his life. They merely tell us he was educated in the Roman College (in Collegio Romano informatum), taught school in Galway while archbishop about 1582, giving lessons to boys in reading, grammar, and Christian Doctrine, imitating thus Pope St. Gregory who taught music, St Francis Xavier who whilst Nuncio Apostolic catechised the Indians, and St Ignatius, who ordered Salmeron and his companions, when sent into Ireland, to devote themselves to the instruction of little children. While thus occasionally occupied, Dr. Skerret did not neglect the higher duties of his sacred office, for the zealous discharge of which he was arrested, and cast into prison. After much suffering he found the means of escape through the exertions of a few friends, fled to Portugal, died there in 1583, and was buried in the church of St. Roche in Lisbon.‡]

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### JAMES O'HELY.

O.S. tom. 3, lib. 2, c. 8, fol. 130.—We have related how Primate Magauran had been commissioned by the Spanish court to promise,

\* Ware (Harris), p. 615.

† Hardiman's *Galway*, p. 20.

‡ Lynch's *Alithin*. p. 20; Rothe *de Processu Martyriali*, p. 2 (after preface); *Analecta*, vol. ii.; Bruodin, p. 446, mentions specially that he was imprisoned in Athlone for sixteen months; *Hib. Dom.* p. 601; *Epitome Tripartita* (pars secunda) martyrum, p. 58, etc., etc. With these writers White agrees, fixing the death of Dr. Skerrett in 1583, "after being long confined in Ireland, and having at last fled to Lisbon, where he died."

on the part of Philip II., a speedy reinforcement to the Irish patriots. After the battle in which the primate lost his life, Maguire, prince of Fermanagh, returned home from Connaught deeply grieved for a victory that had cost him so valuable a life. Sir Henry Bagnal, marshal of Ireland and governor of Ulster, was commanded to raise a powerful army to march against him, as was also Bingham. Perceiving that these two generals, aided by the military talents of O'Neill, earl of Tyrone, and commanding a numerous host of English and Irish troops, were ready to fall upon him, Maguire applied to O'Donnell and obtained what forces he could collect on a short notice. Overpowered by numbers, and thrown into confusion by the heroic valour of O'Neill, they lost the hard-fought battle of Beal-antha-cluoin (Os Vadi prati);\* and Maguire, moreover, lost the strong castle of Enniskillen by the perfidy of a low-born dependent, whom he had raised to wealth and power and honoured with his confidence. O'Donnell, fired with indignation at the inhuman cruelty of the English commander, for they had cast from the bridge all the old men, and women, and children they found in Enniskillen, determined to wreak his vengeance on the enemy and recover the fortress. The want of cannon and engines of war soon, however, taught him how much less effective the unaided personal bravery of troops was in storming well-fortified garrisons than in pitched battles or campaign engagements. As his only resource, he resolved to remind Philip II. of his plighted promise, and employed our prelate, James O'Hely, archbishop of Tuam, as his ambassador to the Spanish court. The prelate, not doubting that it was perfectly lawful to oppose a tyranny such as was then attempted against the religion, liberty, and property of Ireland, even though it proceeded from a lawful sovereign, much more when it was the act of an unjust usurper, who had not yet acquired the sovereignty of the island, accepted without hesitation the perilous embassy. Received with great respect by the Spanish king, he explained at that court the cause of the Irish princes and their determination, skill, and military power to defend it. Nor did he forget to acquaint the Spanish nobles with every circumstance that could enlist their piety or passions to support his application. He spoke of the persecutions and constancy of the Irish, described the temperature and fertility of the island, with all its important commercial, political, and military resources and advantages, adding that the Spaniards after liberating Ireland, could easily from that country, and through her grateful and generous alliance, reduce the rebellious states of Holland and Batavia to their allegiance, and would possess the key for the invasion, if desirable, of Britain. At first the king, deceived by the slanderous reports of this country, circulated by English historians and merchants for sinister purposes, was disposed to believe that many of

\* A ford over the Erne, half a mile west from Belleek.

the described advantages had existence only in the prelate's patriotic and fervent imagination. To remove his doubts Richard Stanihurst, whose published history manifested no partiality for Ireland, was examined on the most material points, and no one could deny the bishop's statements. From that time forward Philip thought more sincerely and deeply on the means of assisting the Irish. In the interim he loaded Dr. O'Hely with splendid presents, sent by him an assurance of cordial sympathy and speedy assistance, and despatched a ship to bring him home to Ireland. The ship, however, was driven back by adverse winds on the Spanish coast, and while it was undergoing some slight repairs in the town of Santander the captain happened unfortunately to kill one of the townsmen in a quarrel, and fearing the punishment of the law he hastily collected the passengers, put them on board, and set out for sea in the middle of a storm. The injured vessel did not long withstand the fury of the winds, it sunk to the bottom of the abyss, and Dr. O'Hely, with the captain and all on board, perished in the deep.

The assistance, in obtaining which he lost his life, was sent a few years afterwards, but the convoy was equally unfortunate. Of 17,000 Spanish soldiers that embarked for Ireland, 10,000 were lost by shipwreck on that part of the coast of Galatia which is called Corcuivon.

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### MARIANUS O'HIGGIN.

[MARIANUS (Maolmuire) was son of Carbre, and brother of Teige Dall O'Higgin, the most eminent Irish poet of his age.\* The archbishop also composed sacred hymns, some of which were extant down to a late period.† He died in Antwerp on his return from Rome.‡ So little is recorded of this prelate, and of some of his predecessors in the see of Tuam, that were it not for incidental allusions, sometimes in but one writer, we should never hear of their names, much less know anything for certain of the order of succession, time, manner of death, etc. Lynch,§ the best authority, we might suppose, on a question like this, which should be settled very much by the tradition of the west of Ireland, gives the archbishops of Tuam since the death of M'Breohan down to his own time in this order:—Arthur O'Frighi, Nicholas Skerrett, Marianus O'Higgin, James O'Hely, Florence Conry, Malachy Quæly, John De Burgo. Of O'Frighi I can find no notice in the other Irish annalists, and the

\* Hardiman's *Minstrelsy*, vol. i. p. xx. O'Reilly's *Irish Writers*, p. clxx.

† O'Reilly's *Writers*, p. clxxiv.

‡ *Ibid.*

§ *Alithinologia*, p. 92 (see extract at length in life of John De Burgo).

life of James O'Hely, as given above from O'Sullivan,\* compared with O'Reilly's account of Teige Dall O'Higgin, who flourished about 1610, makes it plain that James O'Hely preceded Marianus O'Higgin, the former being archbishop about 1585, and the latter about 1597. How long either governed the see of Tuam cannot be determined without examining the Roman archives, which, no doubt, contain ample information on this and other obscure points in our ecclesiastical history.]

### FLORENCE CONRY.

FLORENCE was born in the province of Connaught, in the year of Redemption 1560. His early education was very much neglected, and although he afterwards received "some instruction in Spain and the Netherlands," yet he was strictly entitled to be considered, like St. Bernard and St. Antoninus, a self-taught scholar.† The high reputation of Irish genius suffered no diminution in the person of Conry. Eminent in every department, he left his competitors far behind in philosophy and divinity. The disputes regarding grace, free-will, and predestination, that arose between the Jesuits of Spain and the professors of Louvain University, towards the end of the sixteenth century, occupied much of the young divine's attention. The works of St. Augustin were the great armory whence the combatants supplied themselves with weapons, and accordingly Conry applied to the study of that father's writings so intensely and so indefatigably that no man of that day was esteemed by his admirers so familiar with the text or considered to have sunk deeper into the sense and spirit of the great doctor of the Church. But unfortunately his first impressions on the subject were received under the influence of the lectures of Baius, and Conry continued all his life to deduce from St. Austin pretty nearly the same doctrines as that learned doctor and his other very intimate friend, the celebrated and unhappy bishop of Ypres.

Having filled with credit to himself and much honour to the order of Observantine Franciscans, of which he was a member, several minor offices, he was raised to the rank of their provincial in Ireland. "He was commanded by Clement VIII. to return to his native country, to assist by his counsels the army which king Philip II. had sent into Ireland in aid of the rebellious Papists there;‡ but that invasion being defeated, he was proscribed by the English and went into banishment, in which he continued some time in Flanders and

\* Cf. MacGeog., tom. iii. p. 501. † Lynch's *Vita Kirovani*, c. iii. p. 15.

‡ Harris' *Writers*, p. 3.

some time in Spain.”\* Harris would intimate that this visit to Ireland was made after Dr. O’Conry had become archbishop of Tuam. This, however, is a palpable mistake. The Spanish army with which he came over was that under the command of Don John D’Aquila, which landed at Kinsale in October, 1601; but it was not till the year 1608, and therefore several years after the death of Philip II. and Clement VIII., that Pope Paul V., considering his piety, prudence, and high reputation for learning, induced also, perhaps, by the Spanish court, selected Dr. Conry to fill the archiepiscopal see of Tuam, which but a little time before had become vacant. It is certain, moreover, that he had the honour of receiving the archiepiscopal consecration at Rome from the hands of Maffei Barbarini,† the eminent amateur and patron of literature, known afterwards under the title of Pope Urban VIII., who at the death of Philip was not sufficiently known or qualified to be appointed to the duty of consecrating an archbishop.

Dr. Conry appears to have generally resided in Spain for some time after his consecration; but the last ten years of his life were chiefly spent in Louvain. Though he had not the consolation of tending his persecuted flock (nor of visiting them even once after they were given him in charge), yet he appointed able and zealous vicars to act by his authority, and kept up frequent correspondence with his diocese. One of his letters is given us by O’Sullivan in his Catholic history. It is dated March 1st, 1615, at Valladolid, and written in Spanish, under a fictitious name, in reply to another from a priest in Ireland, dated the preceding December. It relates to the conduct of the Catholic members of parliament in passively permitting the Protestant members to vote the confiscation of the estates of O’Neil and O’Donnell in Ulster. On the legality of this passive conduct the Irish clergy were divided in opinion; some justified it on the grounds—1. That these estates were already taken from their owners and possessed by the king, and could not be recovered unless by the favour of the king or by arms, neither of which would be prevented by the vote of parliament, much less by the non-opposition of the Catholic members. 2. That considering the state of times and things, it was better to assent to the king’s will, in order to prevent his displeasure, and to obtain greater indulgence for religion from him. But though the great majority of the Irish clergy concurred in this view of the case, it did not please Dr. Conry, then residing in Spain, nor some black-letter men even at home. In his reply (which is too long for insertion in full) to his friend, who had

\* See Monumental Inscription at the end of this life taken from Harris.

† *Vita Kirovani*, c. iii. p. 17, Flor. Conrii Perigrinus Jerichuntinus. In the Dedication to Urban VIII. Thady M’Namara, S.T., Baccs., Paris, says to the Pope, “olim cum in inferiori dignitate sed jam maxima dignus emicares, sacris tuis manibus, rara et invidenda felicitate in archiepiscopum ordinatus est,” p. 1.

consulted his Grace on the point, he concurs in the eulogy passed by his correspondent on the Catholic members, but thinks their brave perseverance just now only a poor compensation for having brought religion into its present distress, by fighting with its enemies against their Irish brethren, and thus effecting the subjugation of their country and their religion. He cannot even still repose very implicit confidence in their constancy, for they already faltered by admitting Davis as speaker of the house, and also allowed the illegitimately obtruded members to sit with them, and thereby ratified their unconstitutional election and all their subsequent acts. "My fears," he says, "were increased by what you told me of the confiscation, and you appear yourself as if undecided about its illegality when you say that 'otherwise the king and his party would be offended.' What! will they not be offended if you refuse the oath of supremacy, or if you oppose the confiscation of your own property to-morrow or next day? May evil be done that good may come from it? Is not this expecting justice without just works, as the Protestants teach and practice? Do you doubt that it is sinful to rob men not convicted of any crime of their property? For, were not these noblemen pardoned by the king, and if they, either to avoid calumnious suspicion, or to practise their religion more freely, retired from the country, is that a crime either proved or notorious? Moreover, most of the Catholics on all that territory must soon, at least in a few generations, be perverted to error, and their example and numbers will spread heresy through the other provinces. And are these souls to be sacrificed to etiquette, or to the labour and pain of a three days' struggle and opposition? What! do you not daily give up your properties, do you not sacrifice the fines and penalties of not attending the Anglican worship rather than violate a law of the Church? And yet here is a matter prohibited not by a law of the the Church, but by the law of nature and of God. God, in his mercy, grant that you commit not such a crime, nor tarnish your former glory, nor provoke the wrath of the Almighty."\* But letters, however learned, particularly on such general subjects, were but an inadequate compensation to his diocese for the loss of his example, his charities, and personal superintendence. The inferior authority of his vicars was sometimes disregarded, always less respected, and in some instances defied. About the year 1618, William Lynch, a Carmelite friar, started from Galway to Louvain to request the interposition of the archbishop in a case wherein his vicar-general had decided against the Carmelite, and succeeded not only in countermanning the vicar, but also in dislodging him from his office. This unpleasant proceeding might have been prevented by his presence; and the final decree, dated in a foreign convent and emanating from one regular in favour of another, might have given

\* O'Sullivan, *Historia Cath.*, tom. iv. lib. ii. c. ix. p. 255.

occasion to unwarranted suspicions of partiality towards his order in the minds of the parochial clergy, and also lessened their respect for vicarial authority, but yet it led to one of the happiest acts of his Grace's administration; for it was on the occasion of this dispute, and in pleading the cause of his uncle, the Carmelite, that the merits of Dr. Francis Kirwan, afterwards bishop of Killala, became known to Dr. Conry, who thereupon appointed him his vicar-general in Tuam, in place of the other whom he removed.

The zeal and overflowing charity of this truly apostolic vicar soon gave the archdiocese a new aspect, and left it but little cause to regret the absence of its prelate. He visited on foot even the most remote and mountainous parishes every year, in several of which he found the people extremely ignorant of their religion, many unable to recite the Lord's Prayer, and multitudes that had never received the sacraments. By a plentiful distribution of charities he induced this wild population to assemble regularly for religious instruction, and established among them a knowledge of their religion and the frequentation of its saving rites. By the enactment and vigorous enforcement of wholesome laws he repressed gambling, intemperance, and every disorder among the clergy and people. He again divided the parishes to separate pastors, two or more of which from a want of priests had before been tended by only a single clergyman, and left not a plurality in the diocese. He spared no pains or sacrifice to increase the number, to exalt the character, and sanctify the morals of the clergy; and to that end his own house was made to serve the manifold purpose of a school for young candidates, a college for the more advanced, and for ill-instructed priests, whom he removed for a while from the mission, an asylum for the superannuated, and a place of spiritual retreat annually for all his clergy, besides being an hospital for the sick and an almshouse for the destitute poor.

But while Vicar Kirwan was, by these and a thousand other like labours, serving the diocese of Tuam, its archbishop was devoting the days of repose he was forced to spend in Spain and Flanders to the service of Europe, and more particularly of the religious order to which he belonged. The early prepossessions he imbibed in his convent tenaciously clung to and were foremost in his mind through life; and hence, although he left, I believe, no mark of his solicitude or affection for the diocese or province which gave him birth, and over which he was placed archbishop, he left many and lasting monuments of his partiality to scholastic theology and the order of St. Francis.

It is to the influence and fraternal affection of this learned prelate the Irish Franciscans are indebted for the college of St. Anthony of Padua at Louvain, which Philip III. of Spain founded and endowed at his request. The foundation-stone was laid by the Princes Albert and Isabel, in the year 1616. This was the first establishment the Irish Franciscans obtained on the Continent. During the preceding

half century their young candidates, it is true, had been received into several colleges in Spain, Portugal, and Flanders; but it was by gratuitous favour granted through compassion to the candidate or zeal for the support of religion in Ireland, and was regulated entirely by the circumstances of each particular college and the discretion of its superior. After this they acquired other establishments, viz., in 1625, the college of St. Isidore at Rome, through the instrumentality of Father Luke Wadding; in 1631, another at Prague, in Bohemia, founded by the Emperor Ferdinand II., at the solicitation of Father Malachy Fallon; another in 1656, at Capranica, in the Pope's States, founded also by Father Luke Wadding; another for a short time at Paris, and a sixth at Boulay, in Lorraine, founded by Duke Leopold, in 1688, at the instance of Father Bernard Plunkett, supported by the request of Francis Taaffe, Lord Carlingford. The Capuchin branch of the Franciscans had, moreover, two other colleges in France, at Charleville and Sedan, obtained by the exertions of Father Francis Nugent. But these were afterwards taken from them by Louis XIV., because he thought an establishment of foreigners so near his frontiers might prove inconvenient; he therefore gave them in exchange a college at Bar-sur-Aube, and another at Vassy, in Champagne. The college at Louvain continued to prosper for many years, and had the honour of educating a large number of pupils that afterwards obtained seats on the episcopal bench in Ireland, or were rendered illustrious by their writings, their genius, and their piety.

The works of St. Augustin were the favourite study and occupation of Dr. Conry, and to the vindication of what he conceived to be the genuine sense of that father on the doctrines of grace, free-will, and predestination, he devoted all the days of his banishment and all the energies of his acute and well-disciplined mind. In fact, the Irish college of St. Anthony of Padua was the true parent of that system of opinions which afterwards raised such disturbances under the appellation of Jansenism, at least if we believe Father Peter Walsh, who was a distinguished member of the house at the time. Father John Barnwell, uncle to the then Lord Trimbleston, had taught these opinions for many years in that college, and then published them in the form of dictates or lectures; and it was our Dr. Conry that taught the famous Jansenius, bishop of Ypres, to understand St. Augustin as he did, and impregnated his mind with those erroneous notions, the unhappy publication of which afterwards gave his name to a sect.

Dr. Conry himself wrote many treatises, which were highly prized by the disciples of Jansenius; but none of which have, *I believe*, been explicitly condemned by the Church. Of these, the following were published, some during his life and others after his death:—

1. "De St. Augustini sensu circa B. Mariæ conceptionem." Antwerp, 1619.



2. "Tractatus de Statu parvulorum sine Baptismo decedentium ex hac vita, juxta sensum St. Augustini." Lovanii, 1624 and 1625, in 4to. Rothomagi, 1643. This volume is introduced into some editions of the Augustinus of Jansenius, and is very highly lauded by the supporters of the baneful heresy contained in that work.

3. *Scáthan an beata éimortairde* (the Mirror of a Christian Life), an Irish catechism. Lovanii, 1626, in 8vo.

4. "Peregrinus Jerichontinus. Hoc est, de natura humana, felicitate instituta, infelicitate lapsa, miserabiliter vulnerata, misericorditer restituta." Parisiis, 1641. This volume in 4to was printed at Paris, 1641, edited by Rev. Thady M'Namara, B. Divinity, of Sorbonne, and dedicated to Pope Urban VIII. It is in large 4to., and consists of eight pages of title, dedication, and approbations, twelve pages "ad Lectorem," and eighty pages of text. It ends on page 100; 91 and 92 blank.\*

5. "Compendium Doctrinæ St. Augustin circa gratiam." Parisiis, 1644, in 4to. This is but a French translation of No. 4, with title altered.

6. "De flagellis justorum juxta mentem, S. Augustini." Parisiis, 1644.†

Several of these works were published only after the death of

\* July 3, 1849—I returned this day some books lent me on 29th ultimo by G. Smyth, Esq., 104, Grafton-street, Dublin.

Florentii Conrii, Hiberni, ex ordine Fratrum Min. de Observantia, Archiepiscopi Tuamensis, PEREGRINUS JERICHUNTINUS hoc est de natura humana, felicitate instituta, infelicitate lapsa, miserabiliter vulnerata, misericorditer restaurata. Parisiis, MDCXLI.

This work is in 4to size: reverse of the title blank. Next page begins the Dedication to Urban VIII. (who before he was Pope consecrated Conry), which occupies five pages. Then follow three approbations of French doctors, to which is added the preface to the reader, ending p. 12, signed A. P. 13 contains the Elenchus or Index. The work begins at p. 15; consists of ten chaps., and ends p. 91, signature M.

"Recueil de divers ouvrages touchants la Grace, a Paris, MDCXLV."

The first piece in this collection is "Abrege de la Doctrine de S. Augustin, touchant la Grace, par Florent Conrius, Religieux de l'Observance de S. Francois et Archevêque de Tuam in Hibernie. Traduit de son livre, intitulé Peregrinus Jerechuntinus, a Paris, MDCXLV." This is a mere but good and free translation of the preceding. Harris mistakes in describing it "compendium doctrinæ," as if it were originally in Latin and different from the PEREGRINUS.

[See Wadding's *Scriptores Ordinis Min.*, who tells us he knew Conry at Madrid, where he spent his whole time in the study of St. Augustin's works, having read them all over seven times, and the parts touching on the necessity and efficacy of Grace twenty times—"improbo labore." The inscription on Dr. Conry's monument as copied by Rev. Mr. Meehan, differs slightly from Harris's given here.

† Harris' Writers, p. 111, 112.

their author; but besides these he left many others in MS., which I believe, were never published.

The very titles, and the whole bearing of the works of Dr. Conry that were published show the predominant inclination of his mind to be what was already stated. The latter years of his life, and indeed *all* the years of his archiepiscopacy, were devoted almost exclusively to distilling what he conceived to be the spirit of St. Augustine on the subtle doctrines of grace and election. His cotemporaries, without distinction of class or party, vehemently admired his genius and piety, but as vehemently censured or lauded his peculiar system of opinions according to their own prejudices. Posterity have justly awarded him the praise of learning, research, and application, united to an exalted sanctity of morals, but have very sparingly commended his judgment or success in the investigation of the doctrines of the Redeemer, or of his preacher, St. Augustine.

Dr. Conry, after many years of intense study and painful exile, died in a Franciscan convent at Madrid, on the 18th November, 1629, in the 69th year of his age and the 21st of his archiepiscopacy. But his remains were translated in the year 1654 by the grateful Irish Franciscans of Louvain to their college of St. Anthony of Padua, and deposited on the Gospel side of the high altar of their church, over which they erected a suitable monument, with the following inscription:—

“ Illustrissimus ac Reverendissimus Florentius Conrius Conaciensis,

“ Ordinis Minorum Regularis Observantiæ,

“ Archiepiscopus Tuamensis,

“ Provinciæ Hiberniæ quondam Minister :

“ Pietate, Prudentia, Doctrina,

“ Maximus,

“ Æternæ memoriæ

“ Dignissimus :

“ Quo sollicitante

“ Pro restauranda in Hibernia fide orthodoxa

“ Hoc S. Antonii a Padua Collegium

“ Munificentia Philippi III. Hispaniarum Regis,

“ Fundatum est

“ Anno Christi

“ 1616.

“ Laboribus variis Fidei et Patriæ ergo

“ Fractus,

“ Pie obiit in Conventu S. Francisci, Madriti,

“ 1629,

“ XIV. Kal. Decembris, Ætatis 69, Archiepiscopatus 21.

“ Hujus Collegii P.P. Anno 1654,

“ Quo ejus ossa ex Hispania translata

“ Et hic Immortalitatis præmium expectant,

“ Grati posuere.\*

\* Harris' Writers, p. 111. Burgo, *Hib Dom.*, p. 747, 748.

## MALACHY QUÆLY.

MALACHY (Quæleus) Quæly or Keely, was a native of the diocese of Killaloe,\* and made his collegiate studies with signal success in

\* See Bruodin, p. 713.—We have every reason to rely on the authority of Bruodin, as Dr. Quæly was his near relative.—“Tuomoniensium honor, Tuamensis-que Cathedralis ecclesiæ in Conatia gloria, Malachias Quelæus, piis et Catholicis in Tuomonia natus est parentibus. Hic anno ætatis suæ vigesimo, absolutis in patria humanioribus literis, Parisios se contulit; ibique tractu temporis, in tantum profecit, quod in album Doctorum Sorboniensium meruerit inscribi. Supremum in terris caput tunc erat Urbanus VIII., qui audita virtutum fama Malachiæ, illum primo in vicarium generalem diocesis Laonensis in Tuomonia, *patria sua*, ac tandem in archiepiscopum Tuamensem in Conatia ordinavit. In hac dignitate constitutus Quelæus, ut erat corde Franciscanus, sic et re tertii ordinis seraphici Patris, fieri voluit alumnus. Virtutes quibus Malachias se Deo, et omnibus per Conatiam et Momonian reddidit gratissimum, referre hic foret prolixum. Nullus (ut aliquid dicam) cum illo unquam conversatus est, qui ejus non eaperetur amore. Nemo illo humilior, aut devotior, nullus in promovenda fidei, regis, et patriæ causa diligentior, aut zelosior. Hospitalitate in tantum caluit, quod nulla alia re posset eum magis quis obligare, quam si non rogatus, ultro se ad illius mensam invitaret. Pauperum, viduarum, et oppressorum pater, protector, et advocatus erat. His tanti præsulis raris qualitatibus, cum summa prudentia conjunctis, supremi Catholicorum concilii assessores moti Malachiam in coadjutorem destinarunt Generalis Taaffe, qua in expeditione captus (ut antea dixi supra cap. 3) crudeliter ab hæreticis in partes desectus est anno 1645.

*Ibid.*, cap. iii. p. 562.—Non procul a castro oppidi de Sligo in manus Scotorum rebellium, incidit patriæ pater, ac verus gregis sibi commissi pastor illustrissimus Dominus Malachias Quæleus Tuamensis archiepiscopus, Generalis Taaffe in bello coadjutor. Præsulem hunc (qui tertii fuit ordinis S. Patris Francisci) dignissimum, barbari Calvinistæ, post datam fidem, abscissa prius dextra, *an.* 1645, in minutas secuerunt partes.

*Ibid.*, p. 557.—Malachias Quæleus, Archiepiscopus Tuamensis, Joannes O'Mollony, Episcopus Laonensis (his duobus dignissimis Præsulibus, qui pro Christi fide varia passi ac demum extincti sunt, sanguine fui proxime conjunctus).

I find Malachy Quæly, V. Apostolic of Killaloe, June 15, 1623, and Sept. 4, 1624; at the former date signing a deed appointing John Roche as agent from the Irish Catholics to procure from Charles, after his marriage with the Infanta, a relaxation of the penal laws, and at the latter subscribing the “Consultatio unitiva inter ordines et Superiores Regularium,” at Kilkenny. He was a student in Paris in 1622, a native of Killaloe, D.D. of Sorbonne, Protonotary, Vic. Apost. and Dean of Killaloe since 1622; was postulated for as bishop of Killaloe, by Franciscans of Wexford, July 31, 1624; by Inchiquin, Thomond, the O'Briens, M'Namaras, M'Mahons, and other noble families, August 17, 1624, who declared that many adults and some very old persons were never confirmed; by Nic. Shee, Prov. O.M., 18th August, same year; by the chapter of Killaloe on 28th; commended jointly by Barnabas Kearney and John

the university of Paris, where he became doctor\* of the sacred faculty of theology of Sorbonne. After returning home to his native diocese he proved himself an intrepid, zealous, and pious missionary, a learned and eloquent preacher. On the death of Dr. Conry in 1629, different candidates for the vacant see were proposed to his Holiness. Many influential admirers of Dr. F. Kirwan, afterwards bishop of Killala, were very urgent in their applications to procure his appointment, and tried to prevail on him to accept it.† But the Pontiff's choice fell upon Dr. Quæly, then residing in the diocese, and the bull for his consecration was expected in 1630. It appears, however, from a work of the Rev. Paul Harris, his cotemporary, that he was not consecrated even on the 4th September, 1631.

The historians of his own time have drawn the character of Dr. Quæly in very favourable colours. They represent him as a man of great powers, both of mind and body, an able polemic, an effective preacher, an indefatigable prelate—visiting, instructing, and reforming every part of his diocese; eminently pious, learned, modest, temperate, and hospitable whenever the generosity of the people, or the kindness of friends gave him means to exercise that episcopal virtue.‡ Indeed, the deference paid to his opinions in the General Assembly of the Confederates, the disputes there referred to his adjudication, and the place he occupied in the supreme council, attest the high esteem in which his prudence, integrity, and character were held by his country. He was one of the first members of the supreme council of Kilkenny, and in 1643 joined with others of his colleagues in sending off Dr. Edmund Dwyer with a petition to Pope Clement IX., requesting his Holiness to comply with the petition of the Irish nation by raising the celebrated Luke Wadding to the dignity of cardinal, in reward of his distinguished merits.§ This petition did not succeed; but he procured the promotion of his agent at Rome, Dr. Dwyer, and of his friend and former V.G., Dr. Kirwan, to the sees of Limerick and Killala.\*

With the warden of Galway Dr. Quæly was engaged in a long and painful controversy, which revived the old feud between the see of Tuam and the church of St. Nicholas. The archbishop refused to sanction an incumbent appointed by the warden, unless on conditions which implied the full recognition of his Grace's authority

Shee, S.J., on Ides of Aug.; by the provincials of all the regulars; Roche de Cruce, O.P. Nic. a S. Patritio, O.E. St. Aug.; jointly, on September 4, 1624, by David Ossory, Thomas Meath, William Cork and Cloyne, Richard Limerick, Maurice Emly, all praising him in the highest terms for his zeal, prudence, learning, and successful labours during the two years he lived in Ireland; ennobled by birth, they add, but still more by virtue and varied acquirements.

\* *Vita Kirovani*, c. iv. p. 46-50 (Dub. ed. p. 75).

† *Vita Kirovani*.

‡ *Ibid*, c. iv. p. 47 (p. 75).

§ See the petition in *Hib. Dom.* p. 884.

|| *Vita Kirovani*, c. vi. p. 62 (p. 93).

within the warden's territory. These claims could not be admitted without giving up for ever the privileges which the collegiate church long enjoyed, or at least exercised. Hence the warden resisted Dr. Quæly's authority. After many threats freely used on both sides, the dispute was finally adjusted by arbitration.\*

When the state of society began to be disturbed, after the proceedings of the Lord Deputy Wentworth in Connaught, Dr. Quæly was very successful in quelling seditious tumults of the populace on some occasions on which the lives and property of many were endangered. After the breaking out of the war in 1641, he even raised at his own expense a company of soldiers, more with a view to check the violence of his own party than to oppose the enemy. Nay, when the king had declared the parliament of England rebels, when the battle of Naseby and several others had been fought between the king and his rebel subjects, when Scotch and English insurgents had possession of the forts and army in Ireland, and abused the king's name and authority against his person, when the Irish Catholics, and indeed all the true friends of the royal cause, were declared rebels by the House of Commons in England, when, in fine, it appeared obvious enough that there was no alternative between the utter ruin of Ireland, the destruction of her religion, her lawful sovereign and her people, and the victory of the Catholic army, our brave and patriotic prelate thought it madness to be deterred from struggling against so fearful a catastrophe by too minute an adherence to what, in other times and other circumstances, might be justly expected from his sacred character. Dr. Lynch well remarks that church history supplies many examples of martyrs who fell in their country's defence, and of bishops who laid aside the crozier for the sword in the cause of God. Roland was foremost in the ranks against the Saracens; Olaus, king of Norway, is reputed a martyr, because he fell in battle against idolaters who invaded his country: and St. Maximilian, bishop of Lauriacum is also honoured as a martyr for defending his country and creed against the Prætor Evilasius. Thus, too, the archbishop of Tuam scrupled not to join the Catholic army, to encourage them by his presence, and to guide them by his counsel.

The struggle began in Connaught, and continued for some time with signal success. But when they endeavoured to reduce Sligo, and had already in two engagements defeated the enemy and taken possession of the abbey, Sir Charles Coote arrived from the north with a reinforcement of Scotch. The Irish soon lost courage, their horse fled on the 25th October, 1645, from a small band of the same enemy whom they had routed on the 23rd and 24th, and Dr. Quæly, was left on the road mortally wounded, at a place called Clare, near Sligo.

\* Hardiman's *Galway*, p. 246.

General Taaffe sent, on the 27th, a trumpeter to ask for the body of the archbishop; but was refused without a ransom of £30.\* Bruodin relates that the Scotch army first cut off his right arm, and then cruelly mangled the body, cutting it up into small pieces.† Among the important papers said to have been found on his person was an authentic copy of the famous private treaty between King Charles and the Earl of Glamorgan.

Archdeacon Lynch relates that he was informed by the celebrated wonder-working priest Finaghty, whose virtue was proved by the works he wrought, that more than 500 persons had been cured of various diseases by the application of the relics of Dr. Quæly, while saying the following words:—"If Almighty God wills that the soul of him whose relics are now present, should be worshipped here on earth with the honour due to a saint and martyr, let this infirmity depart."‡

[In Appendix D are given the statutes of Tuam approved by Dr. Quæly.]

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### JOHN DE BURGO.§

(From Dr. Lynch's *Alithinologia*, in MS. p. 7, in print p. 91; and Walsh's Remonstrance).

JOHN DE BURGO was duly consecrated bishop of Clonfert in 1639, and received from the Pope the pallium when he was translated to

\* Letter of the abbot John Dowley (Hardiman's "History of Galway," pp. 122, 123):—

"Here is a true tragedie of the unhappy expedition of Sligoe, viz.—Last Sunday, in the afternoon, our forces, after taking the abbie of Sligoe, and hearing of the approach of Coote with a strong relief from the north, began to march back from Sligoe; and though they beat the enemy that day and the day before, yet then a few horse of the said enemy put them most shamefully to flight, in which flight (*pro dolor*) my lord archbishop of Tuam, Father Teige Connell, Father Augustine Higgin, with other clergymen, were killed and piteously mangled, and so left in the way near Sligoe. General Taaffe sent a trumpeter to Sligoe, and got news on the 27th instant that the Scots will not part with my lord archbishop's body, without getting out of it £30 sterling. The said trumpeter brought with him two letters from the commander of Sligoe, offering to exchange prisoners; ours write that they are kindly used by them, and desire relief and ransom."

† See *Hib. Dom.* p. 877.

‡ *Vita Kirovani*, c. iv. (p. 77.)

§ [These extracts are here inserted as written by L. F. R. It is plain enough that he does not approve all the views, or agree in all the statements of Dr. Lynch. He took the summary seemingly for the purpose of closer examination at a convenient time.]

Tuam (in 1647), according to Lynch. As Malachi, he adds, foretold the series of Popes, so did St. Jarlath the series of his successors in Tuam; a prophecy made only, that Lynch knew, with regard to these two sees, to shadow forth their inseparable connexion. St. Jarlath prophetically describes John De Burgo as 1<sup>o</sup> *potentem*, 2<sup>o</sup> *ex intimis amicis*, 3<sup>o</sup> *ac præterea Jesum staturum*. These three characteristics are explained by Lynch thus; 1. *potentem*, referring to the influence of his family in Connaught, Ulster, and Meath, to his own authority as archbishop throughout Connaught, and his *power* as *member* of the Confederation; some explain it moreover of his active resistance to the nuncio during the interdict at Galway.\* 2. The *special friend of St. Jarlath*, because of his blameless morals, his urbanity, hospitality, piety, and love for his flock, for whose sake he exposed his life rather than desert them. He remained, indeed, as long as the fury of the heretics permitted him. 3. *Ab eo Jesum staturum*, referring to his sufferings for Christ, having to bear with the loss of house and home, of property, and a large yearly income, and now obliged to live on the precarious offerings of the poor, or pine away in exile.†

Lynch next assails Farrell, of whose book we know nothing but what his adversary chooses to give us, and though Lynch seldom descends to vulgar abuse, he is not above misrepresenting an opponent, at least by omission. Even his quotations show Farrell not inferior in talent, learning, and good sense to himself, while Farrell's views are on the whole more correct.

Farrell stated that in 16 . . the see of Mayo was vacant, but administered by the archbishop of Tuam without being canonically united to that see, and without any title whatever. Tuam, Lynch replies, governed Mayo for more than a hundred years, since the death of Eugene M'Breohan, the last‡ bishop of Mayo in 1559: a prescription of forty years suffices against any other church, a hundred years against Rome. De Burgo's two predecessors held it *bona fide*. All the archbishops indeed since the decease of M'Breohan exercised authority in Mayo. These archbishops were Arthur O'Frighi, Nicholas Skerrett, Marianus O'Higgins, James O'Hely, Florence Conry, Malachy Quaely, John De Burgo. On the life of O'Frighi Lynch unfortunately makes no remark, while he adds some

\* The author of the *Atitlinologia* is what we should now call a Tory, Anglo-Irish, Conservative Catholic, a decided, rather than virulent antinuncio, Ormondist partizan who never sees a fault, but tries to palliate, or slur over all the errors of the Anglo-Irish, ancient and modern, Catholic and Protestant.

† Lynch's object is always to raise the character of the bishops opposed to the nuncio. With this view, of course, he is boundless in his praise of Dr. Burke.

‡ [Last in Ware's list, on which Lynch seems to rely chiefly.—See above, p. 387, Life of O'Dwyer.]

brief notices of the other prelates. But we have now to do with the last name in the above list, one celebrated in an eventful period of Irish history.

While bishop of Clonfert Dr. Burke assisted at the Waterford synod (12 August, 1646,) which condemned the peace with Ormond. He was elected also member of the supreme council, September, same year as John, bishop of Clonfert, and as such subscribed the oath. The document rejecting the Cessation, dated Kilkenny, April 27, 1648, is signed amongst others by John Tuam. But he did not support this policy always, on the contrary he withdrew the condemnation, and was rather noted afterwards as the most violent of the nuncio's opponents. He approved the cessation and peace of 1648, neglected the interdict, and openly resisted the nuncio at Galway, where his own example, and that of the noble family to which he belonged—the Clanrickards—would have greatest weight. But Dr. Burke, like the rest of his brethren, soon felt the fatal consequences of these dissensions. From the "Libellus supplex" presented by Dr. French to Clement IX. in 1667, we learn that after the surrender of Galway Dr. Burke was arrested, detained in prison for some time, and then forced into exile.

1662, Jan. 9, (N.S). Dr. O. D'Arcy, bishop of Dromore, wrote from London to Dr Burke enclosing the Remonstrance, and requesting signatures. Dr. Burke answered by a letter dated Dinan, Jan. 30, 1662, acknowledging receipt of this letter, the first and only one received from him since he left France. He was preparing, he says, copies of Remonstrance to be sent to their brethren, since that would be more convenient than sending about the same sheet from place to place. He thought there must be some difficulty in subscribing it, because it resembled so much the oath of allegiance under James. The letter was as follows:—

*To the Most Rev. My Lord Bishop of Dromore, etc., London.*

"MY LORD,

"Your letter of the 9th Jan. and received on Monday last, could have no speedier answer, by reason of my distance from the Post. This only to let your Lordship know it is come to hand, and that I am making ready copies of the paragraph thereof that concerns your enclosed paper, and of the paper itself to send to the respective places where any of our brethren reside in France; that being in my opinion a better course to comply with your Lordship's desire of the speedy return thereof, than to send one about, which would require more time. I do not think but the subscription of the said paper may have some difficulty, not through any disaffection to our sovereign's service, but through the misconstructions, its style resembling somewhat the oath of allegiance is subject unto; and the occasion some unsettled spirits will take to gloss upon it, and wrest out of our good intentions venom to spew in our faces, as your Lordship knows they do with less grounds.

"The proof that was made of loyalty to our sovereign by what we have suffered at home, and even yet suffer abroad, rather than we should flinch



from our duty to his Majesty, when we had some power, might be very sufficient satisfaction to any indifferent man, that we forget not, nor can forget our obligation to our natural prince. We rather daily pray for his Majesty's prosperity, and cause those that depend on us so to do, than think on any other foreign power or prince, for to deprive our own of that which we do, and ever acknowledged to be his birth-right.

"God give those poor wretches, under oppression in Ireland, true patience to bear out their misery, with a constant memory of their duty to his Divine Majesty that permits their affliction, and their king, that haply cannot yet hinder it conveniently.

"As soon as I have answer from the rest of the prelates to your request, I will write to your lordship of our resolution. In the mean time I assure your Lordship that the letter I answer now, is the only one I received from you since you departed France, but that all notwithstanding, I am,

"My Lord,

"Your Lordship's affectionate and humble servant,

"JOHANNES,

"ARCHIEPISCOPUS TUAMENSIS.

"Dinan 30th Jan. 1662."\*

About October or November, 1662, Dr. Burke, having sailed direct from St. Malo, landed in Dublin, unable to travel any other way on account of his excessive sickness and advanced age. He had neither obtained nor sought Ormond's permission or any other minister's, but thought to land privately in the absence of the viceroy. But though Ormond was in the country, his minions tracked the archbishop. P. Walsh went to see him, and expressed his astonishment that he should have dared to return without any promise from government, and in his own petulant manner told the archbishop that he had sided indeed with the supreme council always, had defended the cessation and peace of 1648, had despised the Interdict, had even opened the church at Galway to the nuncio's face—yet he had, unfortunately for himself, also signed the Jamestown decree, and had never by submission washed out that stain; and that therefore to be permitted to remain in Ireland, he must humbly crave pardon for the past, and sign the Remonstrance as a pledge of his future goodwill. These and other such insolent lectures the Procurator repeated again and again to the afflicted prelate, sometimes in presence of W. Burgatt, then V.G. of Emly, afterwards archbishop of Cashel. Dr. Burke listened to him patiently, and only answered that he returned to die at home, "to lie down at rest in his grave and native soil." He had hoped to pass through Dublin unnoticed when the Lord Lieutenant was absent, that his past loyalty had been proved; for the future no pledge was necessary—his mind and body being weakened by suffering and disease. On the merits of the Remonstrance he could not decide now, nor indeed on any other question that required thought and study.

\* Remonstrance, first part, p. 14.

During this interview he learned that Ormond came back to town, and requested Walsh to present his most dutiful respects, and ask permission to remain in Ireland "for so short a time as he had to drag on a miserable existence, and end it by a death more welcome, which he daily expected."\* Walsh saw that the archbishop's mind was far from being impaired, that his conduct, then the only archbishop in Ireland, would influence others against the Remonstance, and that his refusal to sign could not be ascribed to disloyalty, because he and his family had been always distinguished for their fidelity to the crown, nor to any other cause but a conscientious difficulty against the form itself. Dr. Burke's refusal was still a death-blow to the schismatical cause which Walsh advocated. Every effort was used to prevail on the archbishop to alter his resolution, but in vain. Walsh then advised him to retire from Dublin quickly. The next day the archbishop was removed in a litter on his way to Connaught, accompanied by two priests—one a nephew, the other, Father Thomas Quin, both members of the Society. Walsh complains that the archbishop was then and ever after wholly in the power of both these priests.

From his leaving Dublin until his death Dr. Burke continued "decrepid, if not bedrid." He was however invited by Dr. P. Plunkett, and the three vicars of Armagh, Dublin, and Meath, to attend a general meeting in Dublin on the 11th June, 1666, for the purpose of giving his Majesty "those rational assurances of our future fidelity to him in all temporal causes and contingencies whatsoever." Many of the clergy at the same time, secular and regular, unwilling to sign the Valesian formulary, urged on him, the only archbishop in Ireland, the necessity of hindering any such national congregation agreed upon without his privity, and for such an end too as could not stand well with his credit, "*who but some years before in France submitted to and received an absolution from the censures of the nuncio.*"

Dr. Burke wrote the following letters in reply to the bishop of Ardagh's invitation—

*Letters of Dr. Burke to Dr. Plunkett.*

" March, 1665.

"MY LORD,

"Your lordship's letter—signed also by my very worthy friends, Patrick, vicar of Ardagh; James, vicar of Dublin; and Oliver, vicar of Meath—hath been in the way since the 18th of November till the 11th of February, that it reached my hand. I was and am still very joyful to see your lordship's zeal, and most commendable design, to procure for our poor Catholic clergy and laity some ease and liberty to exercise those functions of their respective vocations which seem not consistent with the present law of the land.

\* Remonst., p. 58.

"Since the receipt of your said letter I delayed my answer till now, and borrowed this time to advise with some of my next neighbouring friends, whom I durst not assemble together. It is true the end you proposed to yourselves, and us all therein, needed not this circumspection; nay, is such as not only good prelates must aim at, but also any well-principled Catholic ought to have in his thoughts and care. Yet the medium to attain to it, by so general a meeting and of the chiefest of our clergy, without more assurance of their safety than your letter, may be very well scrupled by many not without much reason. I grant ye have had as to yourselves sufficient grounds to write, nay, and for to engage in calling and securing the parties ye write by a certain day to Dublin: is that enough to take away the fear from poor souls that see unlawful meetings (such as this must be reputed) so constantly urged against by the government? I leave yourselves to judge it. If our king (God bless him) or his lieutenant, were so jealous of our proceedings (as some would make us believe they are), and did consequently exact a sincere acknowledgment of our true fidelity, that which we ought, and will make with our hearts and souls, questionless neither would deny a safe conduct for such as might meet to contrive it. But in the meantime, as we are not put to it by the upper house, and with its allowance to assemble, it might seem overforwardness in ourselves to venture upon a meeting, that without special authority must run under the notion of unlawful, and consequently (besides other inconveniencies) render our persons subject to the penalties of the law.

"I doubt not, but that when ye undertake to convoke your brethren to meet, ye are very sure of my lord duke's connivance. But what if fanatics, soldiers, or some malignant person or persons, taking no notice thereof, should even displease my lord-lieutenant himself, molest honest people? Might not this happen very well, when nothing appeareth openly to warrant our meeting? That it may is very clear; witness what has been done to the poor Franciscans in Dublin, on or about Christmas, anno 1663, notwithstanding their pretended connivance, which to this day (that I could ever learn) availed not one F. Tully, apprehended on that occasion. And when people had not this precedent before their eyes, such as not having been prisoners some time before, are now bailed upon bonds to appear at a certain day after they are summoned, will be very shy to concur to a meeting, wherein they may expose themselves to a forfeiture of their lands, but also such as are engaged for them to a danger of great losses.

"Further, I am satisfied that if the distractions of this war nearly declared betwixt us and France, had occurred at the time of our meeting in November, ye would not without my lord-lieutenant's special permission *in scriptis*, offer to expose the chief of our poor clergy to the mercy of many that have little or no affection for our ways. For though our intentions were never so good, the ill-affected might (as often they have done it with less ground) misconstrue them, and plead that our meeting was to brew mischief, and to contrive a way to draw in the French (to assert and support popery in this land). And why should they not suspect some sinister dealings, when they see people assemble without authority, and in this conjuncture of a settlement wherein most of our natives have but little satisfaction, whether right or wrong?

"I offer these reasons to your lordship's and my other worthy friends' consideration, praying that ye be pleased to hammer upon them very seriously before ye persuade people to that which is conceived, danger. Things done

without mask and above board are more acceptable and less subject to calumny. Let us have my lord-lieutenant's safe conduct, and I am sure all will concur with hearts and hands to pleasure his Majesty, and his Grace, or any other that may doubt of our loyalty. His Grace cannot deny this if he wisheth our meeting; and less notice will be taken thereof now for a good end, than may be of his interfering his authority for us after in case of any trouble or disturbance, such as we may not but fear.

"My Lord, I plead not for my own self herein. I only speak what I judge to be according to reason and discretion. It is well known I may not hazard myself in that meeting, as that I am scarce able to peep out of my chamber, much less to undergo so long a journey as from hence to Dublin. Moreover, when more active and stronger, my propension to loyalty was so well known, that I hope my lord duke will not suspect my integrity in my old age. I ever loved to live in peace, and so still contribute my best endeavours to forward it. Now, there is nothing under heaven, that may stand with a safe conscience, but I shall be very apt to undergo to give my king and his lieutenant all-becoming satisfaction. I will expect your answer to the premises, and timely notice whether the abovementioned pass or safe conduct will be granted. In the meantime, wishing the Holy Ghost in your counsels and consultations, I beg a share in your holy prayers and sacrifices, my lord,

"Your lordship's most humble servant,

"JOHN, ARCHIEPISCOPUS TUAMENSIS.

"Most Rev. Patrick Plunkett."

"P.S.—Inasmuch as of all likelihood, besides remonstrance of our loyalty, other matters will be debated in the above meeting of ours, if it taketh effect; I shall desire that your lordship be pleased to let me have the heads of all, whereby people that have not means to stay long in Dublin may have time to digest leisurely their resolutions against that occasion, and so hasten. I conceive this necessary, and to be sent to each of those that are expected in that meeting. This letter should have been in your hand ere now; but it chanced to have had a slip by the way, that occasioned its return to myself again. Now I send it by the post.

"13th March, 1665."—(Walsh's *Remonst.* p. 604).

*Second letter to the bishop of Ardagh.*

"MY LORD,

"Your lordship's letters of the 3rd and 6th of this month were in the way to the 12th. But this likely proceeded through my distance from the post. The first brought enclosed a petition intended for my lord duke in behalf of our Irish Roman clergy, to obtain his Grace's permission and safe conduct for them to meet the 11th of next June. The second contained nothing but your lordship's civility to me, for which special favour, I may not but rest beholding to your lordship.

"As for the petition, to tell your lordship the plain truth of my opinion thereon, I think it not proper we should prefer it. My reasons: First, if my lord duke (of whose, and his Majesty's good intentions towards us, nobody indifferently knowing, can doubt) were as desirous we should meet as your lordships seemeth to be persuaded, sure nothing would hinder his Grace of commanding us to assemble independent of any petition of ours; and his letters of

safe conduct despatched to that effect without our addresses, would prove less subject to any inconvenience.

"Secondly, if I might apprehend our preferring of a petition expedient, sure I would also conceive necessary to have some things altered in and added to that which your lordship was pleased to send me to be signed. Further, if your lordship and I did sign to, and prefer the same *ut jacet*, no doubt it might be thought by others as much concerned therein as we, unwisely done of us to meddle with petitioning in their behalf without their own privity or allowance. What have we to do with Cashel or its province? What with provincials of regular orders or their divines, if (adding for them without commission, though a thing usual in this age) we will not have ourselves deemed over busy? *Quod omnes tangit ab omnibus debet approbari*, especially matters of such weight as this is.

"When my lord-lieutenant pleaseth to command us to meet with his pass for our safety, I dare say (at least I hope so) there is none amongst us but will very readily obey his orders. But if in the meantime his Grace countenanceth a motion or discourse of our petitioning for that end, some are of strong belief it is rather to eschew the importunity of some of our own, than out of any desire he entertaineth to see us together, whilst we demean ourselves (as I wish we should, and hope we do) without offence to the government.

"This, my lord (speaking sincerely from my conscience) is my sense of the proposals of your lordship's letters to me, and of the aforementioned petition; and even as in all occasions I shall be found constantly willing to comply with and to pleasure my lord duke, so will I ever continue,

"My lord,

"Your lordship's humble servant,

"JOHN, ARCH. TUAMENSIS.

"April 16, 1666.

"P.S.—I pray when henceforth your lordship is disposed to honour me with your letters, please to let me know how I may address my answer without troubling others."—*Remonst.* p. 606.

After these letters Walsh seems to have despaired of gaining over the archbishop. His Grace did not attend the synod, but sent his proxy to Dr. Lynch of Kilfenora, to be used at his discretion. Into better or more faithful hands he could not have consigned so important a trust, for although Dr. Lynch's course was not always uniform, his conduct on this trying occasion was firm, dignified, and worthy of a confessor of the faith. His lordship's name, and those of the other prelates who attended this meeting are so frequently mentioned in connection with Walsh's schismatical projects, that a brief review of their lives seems to be absolutely necessary for the thorough understanding of the history of the Remonstrance, and the vindication of their character. Of the Primate O'Reilly enough has been said already ("Collections," p. 49).

Dr. A. Lynch was consecrated bishop of Kilfenora in the summer of 1647; the following spring he attended the general meeting of the Catholics at Kilkenny, and was one of the fourteen

prelates who (April 26, 1648,) published a resolution condemnatory of the first articles of cessation. But when these articles were afterwards, as he thought, modified in favour of the Catholic religion, he separated himself from the nuncio's party, and supported the terms of Cessation with Inchiquin, and the subsequent peace with Ormond, notwithstanding the censures of Rinuccini. From this period we find him generally on the side of Ormond. Hence he subscribed the pastoral of the nine prelates, dated Kilkenny, Jan. 18, 1649, recommending their flocks to observe the treaty published on the preceding day; he was even one of the few bishops that did not attend either in person or by proxy the Jamestown meeting, though his absence was very probably owing to other causes than disapproval of the course then pursued. It was only after the surrender of Galway in 1652, that Dr. Lynch was at length driven into exile. He resided for about ten years in France, at St. Malo, with no means of support but some trifling annual pension from the royal treasury.

While thus pining away in a strange land, a parcel was sent him in 1662 from Peter Walsh containing the Remonstrance, to which his lordship's signature was requested. Walsh hoped that a prelate who always made every possible sacrifice for peace and loyalty, would not hesitate to comply with his request now. After perusing the documents, the bishop consulted with a number of Irish priests then residing in the neighbourhood of St. Malo, and if we may credit Walsh, about a dozen of them signed the Remonstrance. On reflection, however, they saw that the document which they had, in their eagerness to test their loyalty, hastily subscribed, contained passages which were, no doubt, intended by the original framers, to convey a sense dangerous to faith, and derogatory to the filial respect and veneration due to the head of the Church. They therefore went again to Dr. Lynch and withdrew their signatures.

In the meantime the Remonstrance party in London published widely that several priests in St. Malo had signed the Remonstrance, and many attributed this boasted success to the bishop's well known and tried loyalty. If his lordship were allowed to return to Ireland, it was hoped gratitude would move him to recommend at home a cause he had successfully defended abroad. Walsh repeatedly urged his return to his diocese, but to no purpose. Dr. Lynch knew the price he must pay for this indulgence, and determined not only not to subscribe but to oppose the Remonstrance, and therefore thought it more prudent to remain still in exile. But when he learned that a national congregation was summoned in Dublin for the 11th June, 1666, to discuss, according to the designs of the Ormond faction, a new plan of getting all to subscribe the long exploded Remonstrance, the good bishop no sooner received the letter of Indiction sent over to him through the Primate O'Reilly, than he resolved not to be absent at a crisis, dangerous certainly to himself,

but still more so to purity of faith and Catholic communion in the Irish Church. He arrived in Dublin about the end of May, and immediately visited Dr. Plunkett, bishop of Ardagh, who had taken a leading part in summoning that assembly, but who now, as we shall see, firmly opposed the Remonstrance, influenced, there is every reason to believe, by the arguments and example of the bishop of Kilfenora.

As soon as P. Walsh heard of his arrival, he waited on his lordship, not so much through respect or friendship, as through a vain hope of pre-occupying his mind with all the arguments which his ingenuity could devise in favour of the many treacherous projects Ormond desired to be carried at the synod. He suggested that both bishops should wait upon Ormond before the synod. They did so, knowing well that the intimation from such a quarter could not be disregarded, and were received with much apparent civility. Ormond delivered then a long lecture on the course he expected them to pursue, adverting as he went along to every topic that could excite their fear, or move them to comply with his views. They listened patiently and respectfully but pledged themselves to nothing; nay, Dr. Plunkett ventured to dissent from some statements or insinuations his Grace had made regarding the former conduct of the clergy. On the appointed day the national synod, or rather the national assembly of the clergy of Ireland, met in a house near the castle hired for that purpose by Walsh, the unscrupulous agent of Ormond throughout this whole transaction. Dr. Lynch was chosen to preside over their deliberations. How fearlessly he discharged the high office entrusted to him, and how well he foresaw the schemes of the Remonstrant party, have been described in our notice of Primate O'Reilly (p. 60). By his consummate prudence Dr. Lynch baffled the intrigues of a powerful faction, and by his perfect impartiality, he conciliated the advocates of church authority and united them firmly together.

Dr. Patrick Plunkett was a Cistercian, abbot of St. Mary's, Dublin, and as such attended the synod of Waterford, and subscribed the decree of Aug. 12, 1646. The next year he was created bishop of Ardagh at the nuncio's recommendation. Though thus raised to the episcopacy through the nuncio's influence, Dr. Plunkett constantly adhered to the Cessation, as also to the peace with Ormond, and like his brother of Kilfenora, was one of the nine bishops who exhorted their flocks in the joint pastoral, dated Jan. 18, 1648-9, to observe that peace religiously. His name is not found too among the Jamestown bishops, but there was another reason for his absence besides his desire to support Ormond. The council assembled in Jamestown in his diocese without asking his consent, and he neither attended its deliberations nor subscribed its acts. When the country was subdued by Cromwell Dr. Plunkett fled to Portugal about 1652, and after a time removed to France, where the greater number of his

exiled brethren had taken up their residence. He was living at Sééz, in Normandy, when he received a letter from Walsh, asking for his signature to the Remonstrance. To this application his Lordship sent no reply, but wrote a letter to his brother, Sir Nicholas Plunkett, which runs thus:—

“WORTHY DEAR BROTHER,

“The *oath* taken by the nobility and yourself I seriously considered and consulted with others. Both they and I find the same most just and lawful, and conformable to the doctrine of St. Paul.”

The rest is a scholastic explanation of necessary and voluntary obedience, but not a word on the Remonstrance itself. Walsh having no better opportunity of consulting his lordship, and probably expecting no more explicit expression of opinion, thought it more prudent to take this letter as evidence of a disposition to support the Remonstrance.

Hence, immediately after in 1663, he began to point out the bishop as a trusty person, that might be permitted to return home, and I have no doubt he invited Dr. Plunkett to avail himself of the opportunity now given him of visiting his flock. The precise date of his lordship's arrival in Ireland I have not been able to ascertain, but I find him described as a constant resident with his brother, at least so early as October, 1665.

Ormond returned from England in September, 1666. Walsh came also at the same time by a different route, and immediately set to work with the hope of triumphing over his opponents, the ever faithful priesthood of Ireland. He calculated on the acquiescence of Lynch and Plunkett; the Primate and French of Ferns had expressed such anxiety to be permitted to return from exile, that he thought they would gladly accept leave on condition of giving their reluctant signatures. The Rev. Patrick Maginn, one of the queen's chaplains who came over to see his friends, assured him that he would prevail on his brother Ronan, dean of Dromore, to subscribe, and would bring with him the Rev. Patrick Daly, the primatial Vic. Gen., to confer with Walsh in Dublin.

These circumstances led Ormond and Walsh to hope that if a national assembly could be summoned, the Remonstrance might be adopted, or at least a fatal division among the clergy effected. They had other reasons also for desiring such a meeting now. War had been declared with France and Holland. Some of the Irish exiles might excite hopes of a successful invasion of Ireland, and exaggerate the disaffection of the clergy and people. The very name of a national assembly of the clergy for the purpose of declaring their allegiance, and the report of the bishops returning for such a purpose, would prevent dangerous impressions abroad and check disaffection at home. The general meeting would thus have many good



results. But after all, the only hope of succeeding in the assembly rested on its being regularly packed by the exclusion of their firmest opponents, and on the extent to which those present could be intimidated. It was resolved that the meeting should be held in Dublin or not held at all; the time selected was during the session of parliament, when all the Cromwellian proprietors would be in town; and the house of meeting was the dwelling of the parish priest of St. Audeon's, within earshot of the castle.

The vicar-general of Armagh, together with the vicars-general of Dublin and Meath happening to be in town, P. Walsh invited Dr. Plunkett, who resided in Dublin, to meet the vicars in conference in his own chambers. He told them the lord-lieutenant had granted permission for the national assembly to deliberate on a general signature of the Remonstrance. What an embarrassing situation for our bishop? to assume the odious office of collecting all the heads of the clergy into the hands and fortress of their persecutors, for the purpose of being forced to reverse the religious resolve they had notoriously and conscientiously taken, or to incur almost singly the responsibility of all dangerous consequences of refusal both to himself and to the clergy of Ireland. He knew Ormond, he knew Walsh, he knew that he and three vicars could be easily victimized without any great danger to the public peace. However, the bishop and the vicars seem to have vigorously opposed the proposal, though Walsh would insinuate that no opposition was made except by James Dempsey, V.A. of Dublin. But he admits that several days passed before the rough draft of Indiction was agreed on. They thought it more prudent to adopt the circular prepared by Walsh himself, than to write a more suitable address, expecting probably that the style and spirit of the document would betray the real author. The drawing letter of Indiction was dated Dublin, Nov. 18, 1665, and signed Patrick Ardagh, etc., copies were sent to Dr. Burke, archbishop of Tuam, and Owen O'Swiney, the only bishops then in Ireland besides Dr. Plunkett.

If Dr. Plunkett really desired a national congregation, which appears very improbable, if he did more than yield to a necessity, and endeavour by sharing the responsibility with others to avert from an individual the persecution which could not be safely visited on a nation, his eyes must have been opened by the letters we have quoted from the archbishop of Tuam. The first points out the personal dangers to the prelates who might assemble, and the second exposed the whole villany of Walsh's schemes, and left him little hope of success after. Though Walsh boasts that the aged bishop of Kilmore approved the Indiction, his own letter (p. 607, Remonstrance) can hardly bear out that assertion. Besides, Dr. Sweeny sent no letter, and commissioned no proxy. On the 25th June, 1666, this synod—brought about by so many intrigues and falsehoods—was dissolved by Ormond, who saw there was not the least chance of ob-

taining signatures, and forbade therefore the bishops from meeting any more. They were all ordered not to leave the city without permission from the castle. Dr. O'Reilly was arrested as we have seen. Dr. Lynch suspecting that plans of this kind were being devised, changed his lodgings the night before the synod was broken up and escaped next day to his diocese, where he administered all the spiritual consolation he could to his afflicted flock. After enduring much privation and danger for several months, generally changing his place of retreat each night, he at length contrived to reach Cork, and there embarked for France. Dr. Plunkett was cast into prison with the primate, and kept in close confinement for some months. Of the two other bishops then in Ireland, who did not and *would* not attend the assembly, one, the venerable bishop of Kilmore continued bed-ridden until his death; the other, Dr. Burke of Tuam, died this same year in 1666,\* above eighty years of age.†

\* [In a note to p. 65 (where indeed in this vol. 1676 should be printed 1673), Dr. Renehan quotes Walsh for saying that Dr. Burke lived until 1673, "the mistake perhaps arising from his having written in 1666 what was not printed till 1674." Walsh merely says (*Remon.* p. 601)—"But no visible opposition, save only from John Burke, archbishop of Tuam, then at home in Ireland, *living somewhere in Connaught within his diocese*;" and p. 750 he speaks of "the *then present* old decrepit archbishop *John Burke*." As the author of the *Remon.* tells his readers (p. 530) that he writes this present section in 1672, hence Dr. Renehan's inference; but Walsh, I think, meant living *then* and present *then*, (in 1666), not *now* (in 1672 or 73)." See note to p. 65, and the first extract in Appendix A. Nothing can be more certain than that Dr. Burke died in 1666, and that his successor was appointed long before 1672.—See life of Dr. J. Lynch.]

† [In the *Alith.* it is specially recorded in Dr. Burke's praise, that after the surrender of Galway he left his diocese only when dragged to prison, and forced into exile; and that he returned as soon as the persecution began to relax, after spending *seven* years in a strange land. This period is to be computed from the August of 1655, when the convict ship sailed from Galway for the port of Nantes with the archbishop of Tuam, the bishop of Killala, and many priests among the prisoners. Dr. Burke was arrested on the 11th March, 1654, and detained in prison for fourteen months, having suffered so much in the meantime "from a violent disease in the legs that he could scarcely move."—*Vita Kirovani.* cap. viii. and ix. pp. 127, 128. Dublin ed. by Rev. Mr. Meehan.]



## APPENDIXES.

### APPENDIX A.

PAGE 54.

MS. OF 1667, PRESERVED IN ST. ISIDORE'S.

*Nonnulla respicientia Episcopatum Hiberniæ.*

“Anno 1649 ibi (in Hibernia) erant 27 Episcopi, ex quibus quatuor fuere Metropolitani, sive Archiepiscopi:—Ardmacanus, qui et totius Regni Primas, octo habuit suffraganeos; Dubliniensis tres, Casseliensis octo, Tuamensis quatuor. In cathedralibus erant dignitarii et canonici; in singulis Parochiis erant Pastores; magnus præterea aliorum sacerdotum numerus, plurimique Regularium conventus.

“Verum Cromwellio summa rerum potito, et sævam nimis in clerum persecutionem exercente, omnes dispersi sunt. Supra trecentos gladio et crucibus extincti (inter quos tres Episcopi); supra mille exulare coacti, omnesque superstites Episcopi, excepto Kilmorensi ex Provincia Ardmacana, qui præ ætate et gravibus quibus afflictabatur ægritudinibus, ut ad Episcopale munus obeundum, ita ad fugam capessendam inhabilis erat.

“Inde per plures annos tota Insula sacris antistibus (quod nunquam antea per tot ætates a suscepta fide contigit) orba remansit, non sine gentis mœrore, Ecclesiæ desolatione, et animarum detrimento; quod et modo forte plusquam hactenus imminet, ut ex subjiciendis liquebit.

“Rediit illuc ante septennium Episcopus Midensis, ex Provincia Ardmacana, qui ibidem paulo post obiit; eodemque anno reversus ipse Ardmacanus, verum cum speciali titulo gubernio minus gratus esset, a sua Sanctitate evocatur.

“Deinde ante quinquennium in patriam se contulit Archiepiscopus Tuamensis, inutilis tamen quia paralyticus lectulo semper affixus, ætate plusquam octogenarius obiit anno præterito. Rediit ante biennium Episcopus Ardaghensis, ex Provincia Ardmacana. Deinde sub initium ætatis anni 1666 redierunt Archiepiscopus Ardmacanus et Episcopus Fenaborensis, posterior tertio inde mense in Gallias regressus est, ubi modo degit; Ardmacanus vero qui Proregem sibi nimis infensum semper habuit, per aliquot menses in custodia detentus, perpetuo damnatus exilio in Belgium venit, inde Lutetiam ante aliquot menses. Ita ut in præsentiarum nullus sit in toto illo regno (cujus nativi incolæ sunt universim Catholici) qui Episcopali munere fungi possit, excepto uno prænominato Ardaghensi; neque ullibi in vivis, præter recensitos ex universo Hiberniæ Episcoporum numero, et Fernensem ex Provincia Dubliniensi grandævum, et infirmum semper

valetudine, qui in Belgio degit, omnemque in Patriam redeundi deposuit spem."

This piece is an extract taken by the Rev. Dr. Esmonde from a larger document transcribed by Lord Arundel, from the original MS. in St. Isidore's College, Rome, and of which the above is the beginning.

In the Life of Dr. O. Plunkett, reference is made frequently to a French MS. Memoir of that illustrious prelate (see note, page 74, for a brief account of it), which I consider of sufficient interest to be inserted here.

The copy Dr. Renehan used was transcribed from one presented to Father Esmonde, S. J., Clongowes Wood, by Mr. G. W., of Berryfield. The original Memoir Mr. W. got from his cousin, Mademoiselle F. Plunkett, youngest and only surviving daughter of his maternal grandfather's youngest brother, Lieutenant-Colonel of Berwick's Regiment of Irish Brigades in the French service, Chevalier de St. Louis, &c.

*Memoire, contenant un abregé de la Vie de Monseigneur Oliver Plunkett, Archevêque d'Armagh, et Primat d'Irlande, tiré des historiens de son tems, de son proces ou la sentence de mort, et des lettres du Rev. Pere C. Corker Benedictien son ami intime.*

"Cet homme Apostolique, descendu d'une maison illustre du Royaume d'Irlande, étoit élevé dans la religion Catholique, et se tenant appelé a l'état Ecclesiastique, il quitta sa patrie pour aller a Rome, ou il a demeuré vingt ans, employant une partie du tems a faire ses études, le reste en enseignant la theologie; enfin il prit ses degrés de Docteur de la faculté, et ayant acquis par ses vertus et sa science une estime generale, L'Archevêque D'Armagh étant mort, on fit choix de sa personne environ l'année 1669 pour le remplacer. Révetu de cette nouvelle dignité, il fut renvoyé en Irlande pour y gouverner le troupeau commis a sa charge, ce qu'il fit d'une maniere si edifiante, qu'il s'est attiré non seulement la veneration des Catholiques, mais aussi une grande reputation parmi les Protestans. Pour en donner des preuves, je marquerai ici ce que quelques historiens Protestans ont écrit a l'occasion de sa condamnation.

"1° Dr. Burnet, qui n'a jamais été soupçonné d'avoir menti en faveur d'un Papiste, dans son 'Histoire de son Tems,' page 502, nous dit, avec le temoignage du Comte d'Essex, que Plunkett étoit un homme sage et sobre, vivant paisiblement avec une soumission due au gouvernement, sans s'engager dans aucune intrigue d'état et qui'l étoit condamné par les temoignages seulement de quelques Pretres debauchés qu'il avoit censurés, des hommes brutals, qui ont trouvé le metier de jurer (ou pour mieux dire de parjurer) si bon qu'ils sont venus en Angleterre d'Irlande donner connoissance d'un conspiration.

"Mais le Continuateur des Annales de Baker est encore plus particulier a l'égard de ce prelat Catholique (page 710)—'En meme tems, dit il, est venu le procès du Dr. Plunkett Papiste Archevêque d'Armagh, qui s'ap-

pelloit Primat d'Irlande. C'etoit un bon digne homme, qui non obstant le grand titre qu'il portoit, etoit dans un tres bas, etat n'ayant rien pour subsister que les contributions du peu de Clergé qui se trouvoit dans la province d'Ultonie, qui n'avoient pas grand chose pour eux memes, et par consequent n'etoient pas en état de l'assister beaucoup: Mais quoique pauvre il a toujours vecu paisiblement et content, ne faisant rien que ce qui appartenoit a ses fonctions, et tachant de detourner tous ceux qui etoient auprés de lui d'entrer dans aucune intrigue turbulente et seditionneuse. Cependant durant la conspiration papiste, quelques prêtres Irlandois debauchés, et d'autres personnes de cette nation, ayant entendu qu'en Angleterre on ecoutoit volontiers les bons jureurs, se croyant capables de cet employ-la, ils partirent pour y aller faire recit d'une conspiration en Irlande, et furent bien reçus de Lord Shaftesbury. Le parlement les examina aussi, et ajouta foi a tout ce qu' ils disoient: ils etoient tous des pauvres malheureux parmi lesquels se trouvoient quelques prêtres censurés par Plunkett pour leur debauches; aussi par revanche, ou afin de se trouver quelque occupation, ils ont accusé cet innocent et paisible homme d'une conspiration, de sorte que l'on l'a fait venir d'Irlande a Londres pour son procès: les temoins contre lui firent serment, qu' etant nommé Primat de sa nation, il s'est engagé de lever au moins 60,000 Irlandois pour etre pret a se joindre aux François afin de detruire la Religion Protestante, et de gagner Dublin, Londonderry, et tous les autres ports de mer; et de plus, outre l'armée Françoise il y avoit une armée Espagnole pour les joindre, et que le clergé d'Irlande etoit obligé a contribuer a ce dessein. Plunkett dans sa defence allegua le peu de vraisemblance de tout ce qu'on juroit contre lui; Car. 1<sup>o</sup> il a allégué que le Clergé Irlandois etoit si pauvre que lui meme, le chef de toute la Province, vivoit dans une petite maison couverte de paille, avec *un seul* domestique, n'ayant jamais plus de 60 *livres sterling* de revenu par an; ainsi ni lui ni eux pouvoient etre suspectés d'un pareil dessein. Mais le fait etant positivement juré contre lui, et les jurés qui n'etoient point informés du caractere des temoins ni de la scene de l'action, l'ont trouvé coupable, et l'ont condamné. On dit que le Conte d'Essex etoit sensible a l'injustice faite a ce Prélat (comme on a déjà dit cy dessus).

“ Mais a present ecoutons ce que dit un Catholique, qui etoit son ami tres intime et qui etoit avec lui dans la derniere scene de sa vie. Il s'exprime ainsi dans une lettre écrite apres sa mort. ‘ Je ne puis pas encore, dit il, vous donner comme vous demandez, la description des vertus du glorieux Archevêque et Martyr, Dr. Plunkett. On m'a promis les particularités de sa vie et de ses actions a Rome, ou il a fait ses etudes, et en Irlande ou il a exercé la fonction Episcopale, ou pour mieux dire Apostolique, jusqu' a ce qu' il s'est montré athlète pour la foy: mais ces particularités ne sont encore entre mes mains. Apres son transportement icy, il etoit, comme vous savez, bien infirme et privé de toute conversation, si non celle de ses gardes, jusqu' a son proces criminel. Je suis ici dans l'obscurité, excepté ce que je scais des dites gardes et cela par pure aventure, viz., qu'il passoit son tems presq' entier dans prieres continuelles; qu'il jeunoit ordinairement 3 jours par semaine, ne mangeant que du pain; qu'il a paru toujours fort gai mais modeste, sans angoise et sans etre touché ou sensible au danger de son emprisonnement; que par sa con-

duite douce il s'est acquis l'estime et la veneration de ceux qui venoient aupres de lui. Quand son proces etoit terminé, il est vrai que je pouvois lui écrire et recevoir ses lettres, mais elles etoient toutes transcrites et examinées per les officiers avant qu'on nous les livroit. C'etoit pourquoi notre communication n'etoit pas fort frequente, sinon touchant les affaires de son procès, le quel etant fini, apres sa condamnation, son domestique avoit permission de rester seul avec lui dans sa chambre, par le moyen du quel notre correspondance etoit plus libre, et c'etoit alors que je voyois clairement en lui l'esprit de Dieu et les fruits aimables du St. Esprit, la charité, la joie, et la paix transparentes dans son ame; et non seulement moi, mais plusieurs autres Catholiques qui venoient recevoir sa benediction, et qui en etoient temoins oculaires, pouvoient attester, que quelque chose de divin paroissoit dans ses paroles, dans ses actions, et dans sa mine, qui composoit une melange de gaité, de constance, d'amour, de douceur, et de sincerité, le quel denotoit manifestement que la divine bonté le destinoit victime pour le ciel; tous ceux qui le voioient reçurent un nouveau plaisir et une nouvelle ferveur, de sorte que leurs desirs de plaire a Dieu et de souffrir pour lui augmentèrent en le voyant. Pour ce qui est de sa maniere de prier, il a paru le plus devoué aux prieres communes de l'eglise, comme a l'office divin et au missel, qu'il m'a fait procurer pour lui trois mois avant sa mort: il me disoit souvent aussi des sentences pieuses sur lesquelles il laissoit attendrir son ame, qui suivoit la douce impulsion du St. Esprit, lisant ses prieres plutot ecrites dans son cœur que dans son livre, selon l'écriture '*unctio ejus docebit omnia vos de omnibus*.'—Joh. x. 27. C'est pour cela, comme je m'imagine, qu'avec une grande humilité il m'envoia son dernier discours a corriger: il m'a informé aussi qu'a la place d'execution il ne se serviroit d'autre forme ou methode de prier que du *Pater noster*, *Ave Maria*, le *Credo*, le *Miserere*, *In manus tuas Domine*, &c., &c.; et pour le reste qu'il laisseroit son ame respirer dans les prieres et transports inspirés par le Dieu Tout-puissant. Il a fait continuellement ce qu'il a pu pour s'avancer et se perfectionner dans l'amour divin, et aussi par consequent dans la contrition pour les pechés: lesquelles a ce que cette ame humble m'a dit, etoient la seule chose dans le monde qui le troublèrent: Cet amour abolit en lui la crainte de la mort: '*perfecta charitas foras mittit timorem*;' 'qui aime ne craint pas;' mais se rejouit a l'approche de la mort. Depuis ce tems—là, la joie de notre martyr a toujours augmentée en toute apparence avec le danger, et a été entierement accomplie par l'assurance de la mort. La nuit avant mourir, comme etant pour ainsi dire, a l'aise de son cœur, il s'est couché a onze heures, et a dormi paisiblement jusqu'au lendemain, que son domestique qui couchoit dans la meme chambre l'eveillait. Apres qu'il a sù certainement que Dieu l'avoit choisi a la couronne et dignité de martyr, il a étudié continuellement de se depouiller de soi meme, et de devenir de plus en plus un entier agreable et parfait holocauste: c'est pourquoi comme il a donné son ame avec toutes ses facultés a Dieu il m'a resigné la disposition de son corps. Mais je ne saurois, je n'ose pas meme vous decrire les vertus signalées de ce saint martir. Il y avoit en lui queque chose plus que humain: les plus sauvages et les plus endurcis parmi le peuple etoient amollis et attendris a le voir: plusieurs Protestans souhaitoient leurs ames dans l'etat de la sienne. Enfin tout le monde le croyoit innocent et il a tant

animé les Catholiques que ceux memes qui avoient eu le plus de crainte de la mort n'y pensent plus qu'avec joie. Etant arrivé a la place d'exécution, il s'est retourné envers notre chambre, et avec un aspect agreable, les mains levées, il nous donna sa benediction.

"Après son depart d'ici, vous savez mieux que moi, de quelle maniere il s'est comporté."

"Voilà le sentiment du Rev. Pere Corker touchant notre saint Prelat; et il le connoissoit mieux que tout autre, a cause qu'il lui avoit commis le soin de sa conscience et de son interieur. L'Archevêque Plunkett etoit cité pour comparoitre en la cour de justice (qu'on appelle Le Banc du Roi, c'est aussi une prison a Londres) le 3<sup>me</sup> Mai de l'an 1681, mais on ne lui fit son procès que le 8<sup>me</sup> Juin, apres avoir été 18 mois en prison. Les jurés l'ont trouvé coupable sur le temoignage de ces malheureux parjurés. Ayant entendu la sentence de mort, il a repondu *Deo gratias*, (Graces au Seigneur). Le Juge, ou President de la cour appellée le Banc du Roi, avant que de le condamner, fit tout son possible pour le faire changer sa religion qu'il appelloit fausse, contre la quelle il a beaucoup declamé, et dit enfin qu'il la haissoit mille fois plus que le paganisme. Mais le prisonnier connoissoit mieux sa religion que le juge, et lui fit entendre qu'il n'etoit point disposé a changer pour toutes choses au monde. Il ajouta, "Si j'étois un homme qui n'avoit pas soin de ma conscience, j'aurois sauvé ma vie, car plusieurs personnes m'en ont fait l'offre a condition de reconnoitre ma faute et d'accuser les autres. Mais, Milord, j'aimerois mieux mourir mille fois que d'accuser aucune personne injustement, et le tems viendra, Milord, que vous connoîtrez les temoins qui ont juré contre moi. Je vous assure, Milord, si je n'étois pas un homme de bons principes j'aurois pu sauver ma vie aisement; mais j'aimerois mieux mourir mille fois que d'oter un liard d'argent, un jour de liberté, ou un moment de vie a qui que ce soit." Apres qu'il eut dit cela, on prononça la sentence de mort contre lui dans le forme ordinaire le 15th Juin. Apres sa condamnation il a écrit la lettre suivante au Rev. Père Corker.

"Mon cher Monsieur,

"Je vous suis fort obligé de la lettre que vous avez bien voulu m'écrire dle 20th courant, aussi bien que de votre grande charité et de vos attentions pour moi en toute occasion. Je ne saurois recompenser tant de bienfaits dans ce monde, mais j'espere avec la grace de Dieu de les reconnoitre dans l'autre, qui'est notre veritable patrie. Et vraiment Dieu m'a donné (quoique j'en suis indigne) la grace d'avoir *fortem animum mortis terrore carentem*, un courage qui ne craint pas la mort. J'ai bien de pechés, dont il faut que je rende compte devant le supreme Juge, qui n'ecoute pas les faux temoins; mais pour les crimes dont on m'a accusé hier au Banc du Roi, j'en suis innocent. Je voudrois être aussi juste au Banc du Juge Tout-puissant: *ut ut sit*, je sais pour ma consolation, qu'il ne peut être trompé, par'qu, il n'ignore rien, car il connoit les secrets memes des cœurs, et il ne peut tromper personne parce qu'il est la bonté même, ainsi je suis assuré que mon procès sera raisonnable, et que j'aurais le tems d'appeler des temoins, le juge même les fera venir dans un moment s'il est necessaire d'en avoir. Vos prieres et celles de vos confreres seront des avocats puissants a cette cour de justice la; ici il n'y en a point d'admis en faveur de

"Votre ami affectionneux,

"OLIV: PLUNKETT."



“ Le 1<sup>er</sup> Juillet, 1681, Monsr. Plunkett fut tiré de la prison de Newgate pour aller a Tyburn (place d'execution.) A cette occasion il edifia beaucoup tous les spectateurs par la serenité de sa mine et par la joye, le courage, et la pieté avec lesquelles il alla mourir. Etant arrivé a la place d'execution, il a parlé comme il s'ensuit.

[Here follow the dying words of Dr. Plunkett at the gallows, with a description of his death, quartering, amputation, and burial.]

“ Quatre ans apres sa mort, son corps fut deterré, lequel ayant été trouvé entier, il fut envoyé a Lambspring en Allemagne, ou Monsr. L'Abbé Corker, en 1691, fit eriger un tres beau monument, avec cet inscription en Latin :—

“ Reliquiæ sanctæ memoriæ Oliverii Plunkett, Archiepiscopi Armachani, Hiberniæ Primatis, qui, in odium Catholicæ fidei, laqueo suspensus, extractis visceribus, et in ignem projectus, celebris martyr occubuit Londini, primo die Julii (stylo veteri), anno salutis, 1681.”

I am not aware that the annexed letters were ever consulted by any of Dr Plunkett's biographers: they are copied from the ST. C. *Collection de Rebus Hibernicis*.

“ R<sup>mo</sup> Padre mio, Prne osserd<sup>mo</sup>.

“ Da che io sono venuto a questo Regno, mi sono ingegnato al meglio che ho potuto d'esercitare la gratitudine verso la comp<sup>a</sup> la quale mi diede l'educatione, e non tralascio mai maniera veruna di procurare il loro avanzamento alle cathedre di dottrina, e alle dignità mitrate; et io per venire seguir li miei disegni di servirmi della Comp<sup>a</sup>, per beneficio spirituale della mia Diocesi, feci scelta del R<sup>mo</sup>. Padre Stefano Rice, persona (conforme io guidicai e poi sperimentai), di profonda religiosità, di gran prudenza, indefesso nel patire, et assiduo nel lavorare nella vigna del Sig<sup>to</sup>, nei pergami e scuole della diocesi Armacana, di tanta poi modestia, che quando sta meco spesse volte nelle case de Sig<sup>ti</sup>. piu grandi, non vi e' novitio di St. Andrea che custodisca l'esteriore diportamento delli occhi, &c., piu che non fa egli. In somma mi parve sempre, da due anni e mezzo che lo cognosco e pratico, un vero figlio di S. Ignatio, e fratello carnale della sta. memoria del P. Yonge. Hora, sono certo che non sbagliai nel giudicare, vedendo che V. P. R<sup>ma</sup>., l'ellesse per superiore di questa missione; e per dire il vero la missione ne haveva bisogno d'un tale Superiore, il quale per la prudenza e scienza la sa governare, e per l'esemplarità de' religiosi costumi la può dirigere; ed è il commune sentimento dei Prelati e nobili ortodossi di questo Regno che la Comp<sup>a</sup>., s' avvanzerà in Hibernia mediante il gran maneggio di questo Padre. Ma io che amo la Comp<sup>a</sup>., e minutamente considero lo stato d'essa in questo Regno, e pondero seriamente ciò che la può conservare e giovare, e ciò che la può distruggere, vedo che sta in una calamitosa conditione in questo paese; vedo che non sarà (con mio gran cordoglio) di lunga vita o di lunga durata in Hibernia, se non haverà modo e maniera di d'allevare e ricever novitii, e di castigare li professi discoli e disubbedienti. Li Frati di S. Dominico e di S. Francisco hanno a Lovagno et altrove a questo effetto residenze e conventi; l'hanno ancora li Capuccini a Charleville in Francia. Se li Padri Inglesi della Comp<sup>a</sup>. non havessero Collegi e Residenze fuor d'Inghilterra, un pezzo fa *actum fuisset de illis*.

“E se Vostra Pat. R<sup>ma</sup>., Per il gran zelo che ha della conservazione e propagatione della fede in paesi heterodossi, e per l'affetto grande che sempre hebbe et ha a questa infelice natione, non darà la mano alla conservazione della Comp<sup>a</sup>. in essa, non farà quella riuscita che io desidero o si spera. Ma del modo che si potrà prender nel giovarla io discorrerò con il P. Rice e con li altri Padri gravi di questo Regno, e ne darò parte del mio e loro sentimento a Vostra Pat<sup>a</sup>. R<sup>ma</sup>.; e pregherò sempre per la salute e lunga vita di V. P. R<sup>ma</sup>. Armachia li 30 di Gen. 73.

“Servitore affett<sup>mo</sup>. e obligat<sup>mo</sup>,”

“OLIVIERO ARMACANO,

“PRIMATE DI TUTTA L'HIBERNIA”

“Al R<sup>mo</sup> P<sup>re</sup> mio, P<sup>ne</sup> osserd<sup>mo</sup>  
il P. Oliva Generale della  
“Comp<sup>a</sup> di Giesù, Roma.”

“R<sup>mo</sup> S<sup>ro</sup> mio P<sup>ne</sup> osserd<sup>mo</sup>”

“Il sig<sup>ro</sup> Creneo, Agente de Prelati di questo Regno in cotesta corte, mi scrive, quanto é obligato a V. P<sup>a</sup> R<sup>ma</sup> per la sua gentilezza, benignità e patrocinio preso di lui, il che é gran sollievo al detto Sig<sup>ro</sup> Creneo, sapendo tutti quanto gran Patrone e Benefattore ella è, come io so e seppi per lunga esperienza a Roma, come ancora tutti i miei paesani, li quali ricorrevano a V. Pt<sup>a</sup> R<sup>ma</sup> del che ne fanno tutti in questo Regno ampla e larga testimonianza e fede; e già che non possono in altra maniera corresponder e mostrare la gratitudine che in amore, e fare bene a suoi figli della Comp<sup>a</sup> di questo Regno, l'assicuro che in ciò non sono negligenti pigri o freddi; e li Padri per il gran bene che fanno, meritano d'esser amati, lodati e carezzati. Io ne hó tre Padri nella Diocesi Armacana, li quali per virtù dottrina e fatiche sono bastanti d'arrichire un Regno. Il fundatore della Residenza Armacana é il Padre Stefano Rice, huomo dotto, efficace nel predicare, prudente nell operare, e di profonda virtù religiosa; nè si stanca mai nel insegnare, istruire, e assister alla gioventù e i preti giovani, de' quali é esaminatore e direttore. Quanto patì questi due anni e 4 mesi passati nel fondare la detta residenza *sudavù, et alsit*; Ed é tanto modesto, tanto riservato, che pare che hieri fosse uscito dal Novitiato di St. Andrea; Hebbe l'educatione in Fiandra, e prese veramente il spirito detta Comp<sup>a</sup>, e lo conserva; é figlio degno di tanto padre quanto é S. Ignatio. Questo Padre Rice in somma é un altro Padre Yonge.

“Il secondo é il P. Ignatio Browne, predicatore insigne nella lingua Inglese, e huomo dotto, e di costumi esemplari. Fu allevato nelle Spagne, e predica ogni festa, con gran applauso nella capella parochiale.

“Il terzo é il P. Murphy; buon Teologo, buon religioso; e predica pure bene nella lingua Ibernese ed é giovane di gran ingegno.

“Vi é un fratello chiamato Nicolo, e pare che sia fratello carnale del fratello Georgio di Sta memoria. Nella scuole sono da 150 giovani, per la maggior parte figli di Cavaglieri e gentilhuomini Cattolici; e sono ancora da 40 figlioli di Cavaglieri e gentilhuomini protestanti; ella puó imaginare, che cordoglio è ai *ludi-magistri* e ministri protestanti, il veder li figlioli protestanti venire alle scuole della Comp<sup>a</sup>. Nella Città della mia Diocesi dove é la residenza, sono residenze de Dominicani, de Franciscani, delli Agostiniani, e de Capuccini; e la Città si chiama *Drogheda*, o *Dreat*, nelle

nostre lingue, Inglese, et Ibernese, nella Latina Pontana, tanto distante da Dublinio quanto é Tivoli da Roma, è porto maritimo, situato sul nobile fiume Boine o Boina; e dal gran *ponte* che vi è la città si chiama Pontana. È abbondante di grani, di carne d'ogni sorte, e di pesci: la campagna attorno, è habitata per la maggior da Cavalieri e gentilhuomini ortodossi, e nella città sono mercanti ricchi ed artigiani ben stanti. Quando io introdussi alla mia diocesi li Padri, e le Scuole cominciarono a fiorire, Monsig<sup>re</sup> Talboto, riprendeva l'impresa come temeraria, imprudente, e precipitosa e vana gloriosa, e che sarebbe di curta vita, specialmente in una città si conspicua. Ma egli non sapeva il tutto. Il Vicerè my Lord Berkley, era mio amicissimo, e mi stimava più che non meritavo; *et in verbo ipsius lazavi rete*, e fondai la residenza; et il presente Vicerè il Conte d'Essex, huomo savio, prudente, e moderato, non è niente inferiore al predecessore nell' amorevolezza verso di mè, e perciò le scuole, come vissero questi due anni e 4 mesi, così speriamo che Iddio per l'intercessione di S. Ignatio le darà più lunga vita. *Ut ut sit* quando il vento é favorevole, bisogna alzar le vela e navigare; quando è contrario ó tempestoso, le bassaremo e ci ritiraremo a qualche porticello sotto qualche montagna o rupe.

“Saluto caramente li Rev<sup>m</sup> P. Noel, e Cattaneo Secretario di V. P. R<sup>ma</sup>, come ancora li P. Morelli e Cortege. Vi é nella Propa<sup>da</sup> un giovane chiamato Gulielmo Plunkett nipote del Conte di Fingallia, del Cavagliere Nicoló Plunketti, e del Vescovo Midense. Lo raccomando a V. P. R<sup>ma</sup>; è mio parente.

“P. R<sup>mo</sup> e carissimo, la carta finisce e manca, ma io non finiró ne mancheró mai d'esser di V<sup>a</sup> P<sup>a</sup> R<sup>ma</sup>.

“Servitore affett<sup>mo</sup> et obligatissimo,

“OLIVIERO ARMACANO,

“PRIMATE D'IBERNIA.

“Dublinia, li 22 di xbre,  
1672.

“Al R<sup>mo</sup> S<sup>re</sup> Oliva Generale,  
della Comp<sup>a</sup> di Giesù  
mio Proñe Osserd<sup>mo</sup>,  
Roma.”

In the valuable “Memoirs of Dr. Plunkett,” by Rev. P. F. Moran, D. D., just issued from the press, and which we had, we regret, no opportunity of consulting before now, the second of these letters is translated, (p. 100); and the learned Editor notices as a curious incident, that the original is preserved in the Library of Trinity College, “having been probably intercepted by the Government.” It is more likely, we think, that the letter reached its destination, and was brought back, as a precious relic, by some pious brother of the Society, and deposited in the English College belonging to his order. At any rate, the ST. C. MS. is either the original, or a close imitation of Dr. Plunkett's hand-writing.

The reader will find many important events of the Archbishop's history detailed more minutely in the “MEMOIRS” than in any work hitherto published. The original documents, collected with

great labour by Dr. Moran, throw, indeed, much light on the history of the Irish Church generally, during a long and interesting period.

His conclusions differ occasionally from those put forward in this volume; but we shall not hesitate on that account to point out the most important variations in both works, where they treat of the same subjects.

According to the "Memoirs," Dr. Plunkett was born in 1629, and educated, up to his 16th year, under the care of his relative, Dr. Patrick Plunkett, then Abbot of St. Mary's, Dublin, afterwards Bishop of Ardagh and Meath, successively. In the summer of 1645, Oliver Plunkett accompanied the celebrated Father Scarampo to Rome, where he pursued his studies in the Ludovisian College, until his ordination, in 1654. Having obtained leave to remain some time longer in the Eternal City, he spent three years more in study and retirement, in the Oratorian Convent of S. Girolamo. In 1657, he was appointed Professor of Theology in the Propaganda, and discharged the duties of that office, together with being consultor to various congregations for twelve years with great ability. The see of Armagh becoming vacant then, by the death of Primate O'Reilly, in March, 1669, Clement IX. nominated Dr. Plunkett Archbishop, July 9, 1669. His Bulls were immediately forwarded to the Inter-nuncio at Brussels, where he arrived in the beginning of November, 1669, and was consecrated by the Bishop of Ghent, in his private chapel, on the 30th November, 1669, one of the Assistant-Prelates being the illustrious Dr. Nicholas French, Bishop of Ferns. After a short stay of only eight days, Dr. Plunkett resumed his journey, passed through London and Holyhead, and arrived in Dublin about the middle of March, 1670.

It is unnecessary to dwell further on his public life, of which the facts are well known, and the chief dates, at least, sufficiently agreed on.

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SYNOD OF DROGHEDA, FEB. 19, 1614.

#### STATUTES OF ARMAGH.

For the English reader's use, we give here a brief summary of the decrees of this synod, and a literal translation of the more interesting parts, in inverted commas. When the same doctrine is laid down more fully and exactly in other works, or the discipline modified by more recent decisions, we thought it well to add some references to the most accessible authorities, in brackets, to remove the danger of error.

We intend the references merely as a warning in each case that there is some slight inaccuracy of expression, or other ground of just exception to the sentiment or language, not by any means as a

solution of all the difficulties connected with the various questions discussed in these statutes.

#### LAWS AND USAGES,

Regarding chiefly the province of Armagh, sanctioned at the synod of Drogheda, on the 19th February, 1614, at which were assembled the vicars-general and forane, and rural deans, with theologians, canonists, and fathers of the different religious orders, Cistercians, Franciscans of the strict observance, Jesuits, &c.

"It has been truly said in the old proverb, 'that necessity is a great weapon;' and such is the necessity to which we are reduced, and the injustice we endure, that we must not leave any remedy untried to improve our state. It seemed, then, to be our duty in the absence of the primate, detained still in Rome by public business, and all the suffragan sees in this province being vacant, to search for and adopt those rules for the government of the clergy and Catholic people, that accorded best with the sacred canons, the divine and natural law. And this the more, because our most illustrious primate committed to us the plenitude of his spiritual jurisdiction, in virtue of which we summoned all the vicars-general, and some vicars-forane, together with the most eminent ecclesiastics of this province, that we might consult in common on those measures which might be most useful in our present circumstances. For we could not be unmindful of the ancient usage, both of the clergy of Rome, who, on the death or removal of the Pope, govern the universal church by a like exercise of power; and even of the clergy of less distinguished churches who also, in cases of vacancy by the death or removal of the bishop, following the example of the Church of Rome, provide as best they can for the wants of their dioceses. Following these precedents, and supported by the authority given unto us, we too, together with the vicars and other priests assembled, have drawn up some rules and constitutions for the better government of the clergy and people, which we respectfully submit to the judgment of others more learned, and specially to the authority of the Holy See, with whose decision we shall always readily comply."

#### A SUMMARY OF THE PROVINCIAL CONSULTATION.

The consultation is comprised in four distinctions:—

The **FIRST** chief distinction regards the hierarchy, and exercise of jurisdiction in the province while the primate is absent, and the other sees vacant;

The **SECOND**, the due administration of the sacraments;

The **THIRD**, the correction of prevalent abuses;

The **FOURTH**, fasts and abstinences, holy days, &c.; with an appendix on clandestine marriage, and the Gregorian Calendar.

The **FIRST** distinction ordains, "That while the sees are vacant, the vicars-general appointed through the province shall select vicars-forane and parish priests to administer the sacraments in the several districts, aided by the regular clergy, who are to be frequently invited to give spiritual instruction."

2nd.—"That all priests must avoid carefully, both in public and

private, the discussion of state affairs and temporal government, and strive not to render themselves obnoxious in any way to their civil rulers, except in the necessary discharge of their obligation to God and the people, performing their spiritual duties only,—‘Giving unto Cæsar the things that are Cæsar’s, and unto God the things that are God’s.’ Priests cannot accept the office of steward, tutor, or agent to any nobleman, or otherwise engage in commercial pursuits.”

3rd.—“That though we approve warmly and still maintain the decree of the council of Toledo, which enacts that any cleric guilty of treason should be first degraded, and then deprived of all honours and privileges, according to the usage of the Catholic Church, which always abhorred treason and conspiracy, we cannot, however, with a safe conscience, take the oath of allegiance passed in the reign of James, nor the oath of supremacy required under Edward and Elizabeth, without abandoning our faith, and incurring damnation, as both contain many things opposed to faith and religion. Wherefore we cannot sanction either of these oaths by word or act. It would be wrong and impious to dissemble our faith by any vain prevarication or wavering, and not profess openly our solemn duty with regard to each form of oath, as if Catholics were uncertain whether they could take them lawfully or no; because all must be fully persuaded that these oaths are forbidden them, whether proposed in public or private by those in authority. Nay, it is our duty to reject them at once, and openly, whenever our dissimulation or connivance would detract from God’s glory, the neighbour’s spiritual good, or cause grievous scandal.”

We accept solemnly the decision of the Church which forbids assisting at divine worship in heretical temples; nor can such presence be justified by any previous declaration that we mean only to pay thereby a mark of civil respect to the temporal powers, because ‘with the heart we believe unto justice; but by the mouth confession is made unto salvation’; and St. Paul tells us that we cannot partake of the chalice and altar of the Lord, and the chalice and altar of idols. (See Breve of Paul V., 22nd September, 1606, addressed to the Catholics of England and Ireland, confirmed by another Breve of same date, year following. *Hib. Dom.*, p. 613.)

#### SECOND DISTINCTION.

All priests who receive jurisdiction are to take an oath of obedience to the ordinary, by whom they can be fined, reprovèd, or removed. They are to limit their ministry to their own parishes, except in case of evident necessity. No priest can lawfully administer the sacraments, except penance (see Syn. Thurles, National, p. 26), without a stole; nor bless, exorcise, or perform any other sacred function, except in a becoming place; observing strictly, as far as possible, all the ceremonies of the holy Roman Catholic Church, and at least admitting no change from them, except those of the ritual of Sarum, which has been tolerated for a long time in this province and throughout the kingdom, particularly as the pressure of persecution does not admit of changes in things not essential.

#### BAPTISM.

Parish priests are recommended to have, when possible, one baptismal font, well secured in a proper place, where all children are to be baptized, except in danger of death, excessive cold, or other most urgent reason.

They are also recommended to bring with their ritual a blank book, for the insertion of names of children, parents, sponsors, &c. On administering baptism, great care must be taken to pronounce the words at the same time with the ablution; and the people are to be taught how to baptize in case of necessity, lest midwives or others should commit fatal errors. No priest, on account of friendship or other motive, can admit more than two sponsors—one of each sex.

It is not lawful to confer baptism without holy oil, consecrated the same year, which may be renewed from time to time, by adding not more than a third of oil of olives not blessed. (*Rituale Benedicti XIV.*, Synod. Thurles. p. 18.)

#### CONFIRMATION.

No one but a bishop, whatever his rank or authority, can, by virtue of any privilege, administer the sacrament of confirmation; because no such power has been delegated by the Holy See in this country, *which, however grievously otherwise oppressed, was never long deprived of the presence and consolation of some Catholic bishop.* If, therefore, this has been attempted at any time by a simple priest, either in this province or in the kingdom, those signed by him can be confirmed again without fear of sacrilege.

#### THE HOLY SACRIFICE.

"The faithful must be taught that the body and blood, soul and divinity of Christ, are really offered in this sacrifice; that they are truly and really partaken of by those who receive—by the worthy communicant unto life everlasting; by the unworthy, in the state of mortal sin, unto damnation. Let all learn, moreover, that Christ is entire under each species, that is, of bread and wine—nay, under each particle, however small, as well as in a large host. (*Con. Trid., Sec. XIII., Can. iii.*)

"And lest the uninstructed may imagine they receive under both species, let not the ablution of the chalice be given them; but should it be necessary at any time to say two Masses, on account of the extent of the parish, the priest should place the chalice on its side over the patin, after the communion; and at the end of Mass, after draining the chalice again, give the ablution to some one who has communicated, if there be any such present; or to an innocent child; or to a cleric."

(*Cf. Instructionem de Purificatione calicis, quando sacerdos eadem die duas Missas, dissitis in locis, celebrare debet; prefixam ORDINI. Div. Off. pro an. M.DCCC.LXI.*)

#### PENANCE.

Confessions, particularly of females, to be heard always in a becoming and public place.

Penitents should kneel reverently at the priest's side.

No priest can hear confessions without the approbation of the ordinary, and after giving proof of competent knowledge. Priests, though approved, cannot hear the confessions of strangers without special privilege, or leave of the penitent's parish priest. (In Ireland the faithful may make even the annual confession to a strange priest, unless they go to him to evade the law of reservation.—*In fraudem legis.*, Syn. Thurles. p. 26.)

No one can be absolved without knowing the chief mysteries, the Unity of nature and Trinity of persons in God; the incarnation, death,

and resurrection of our Lord; the last judgment and life eternal; and that there is no salvation outside the true church. It is necessary to know the Apostles' creed, the Lord's prayer, the commandments of God and of the church, the sacraments, and the duties of our state in life. Woe to the parish priests and superiors who neglect instructing those committed to their care.

"Confessors are also bound to teach their penitents the difference between contrition, which is a sorrow for sin, as the greatest evil, because it offends God, who is to be loved above all things, as the greatest good; and attrition, which is a sorrow for sin because it deserves hell; or on account of its own turpitude; or because it is opposed to reason enlightened by faith; or brings with it the loss of spiritual blessings, of the grace of God, and life everlasting; and this attrition, elicited with God's grace, with a firm purpose of sinning no more, suffices, with sacramental absolution, to obtain justification and the remission of sin." (Cf. Con. Trid., Sess. XIV., c. 4; Card. Pallavicini Hist., C. XII., c. 10, n. 25; Synod. Dioceses. Benedicti XIV., lib. vii., c. 11, n. 9.)

Penitents who have not confessed for a long time, and who declare they do not remember any sin, are presumed not to have examined their consciences carefully, and must be instructed to prepare themselves better. Confessors are bound to inquire the number and species of sin, and the circumstances notably aggravating their malice. (*De obligatione confitendi circumstantias notabiliter aggravantes videatur, Homo APOSTOLICUS, S. A. Liguori, Tract. XVI. de Pœnitentia, n. 29. Cf. Benedicti XIV., de Syn. l. c., num. 13.*)

No absolution can be given unless some sin is confessed, except in case of danger of death, when the sick man has lost the power of speech; because, then, if he shows by any sign that he desires to be absolved, or if he expressed a wish to that effect beforehand, the confessor should absolve him, (*S. A. Liguori de Moribundis, lib. vi. Tract. 4, de Pœnitentia, Art. II.*)

The penances imposed should be proportioned to the guilt of the sinner, and his strength to perform them; such, too, that they may be at once a punishment of past sin, and a remedy against relapse. If any injury has been done to character or property, restitution is necessary, when morally possible; and no one can be absolved who does not lay aside ill-will against the neighbour, and shun the proximate occasions of sin.

The form of absolution is then prescribed.

#### RESERVED CASES.

A brief list of reserved sins is added, and pœnitentiaries appointed to absolve from excommunication, &c.

#### EXTREME UNCTION.

Parish priests are warned not to allow any persons die without the last rites of the church; and any neglect in this regard is to be visited with severe punishment.

#### HOLY ORDERS.

"Vicars-general cannot give letters of recommendation or dimissorials, unless to those candidates whose legitimacy and virtue are beyond all suspicion, and who are able and willing to serve God in the diocese for



which they are ordained. They are also to see that each candidate has adequate means of support, or at least that he is sure to have them, and to state this in their letters." (See Statutes of Dublin, 1770, p. 36, where the same words, precisely, are repeated.)

#### MATRIMONY.

"Let no priest or layman dare give counsel, aid, or approbation to children or wards, under the care of parents and guardians, to marry without their consent, or, what is worse, against their just and reasonable will, under pain of incurring the wrath of the church, and heavy pecuniary fines. Let no priest assist at a clandestine marriage, nor at any marriage, without knowing for certain that the parties are free from restraint. Sacramental confession should also precede marriage; and if this duty be neglected, let there be no Mass, or solemn benediction. The people are, however, to understand that matrimony consists in the free and mutual consent of the contracting parties, expressed by words or signs; and that this benediction is only a solemn rite commanded by the church."

(De cautione olim adhibenda in synodalibus institutis ne aut parochus, aut ipsi contrahentes, sacramenti Mat. minister appellentur disserit Bened. XIV. de *Syn.* lib. viii., cap. xiii., n. 9. Quam gravia sint tamen momenta quibus innititur sententia patrum nostrorum ostendit P. Perrone de Matrimonio Christiano, Romæ, 1858, tom. i. p. 178. Cf. *Mélanges Théologiques*, cinquième série, 1859, p. 482; *ibidem*, sixième série, p. 504, præcipue vero La Lettre de N. S. P., Le Pape Pie IX., au Roi de Sardaigne, *ibid.*)

Parish priests are recommended to keep a book for inserting the names of the married couple, their parents, the time, place, and witnesses of the contract, dispensations, &c.; which book they are to preserve carefully, and show to the ordinary, when required. Dispensations to marry within the forbidden degrees, or to retain church property, should not be granted without due inquiry. After the banns are published, the priest should assist at the marriage, unless the impediment be clearly proved. (See note on clandestinity at end of statutes.)

#### ANNUAL CONFESSION AND COMMUNION.

We may fulfil the former precept by confessing our sins once within the year; but communion must be received within the Paschal time, that is, from Palm Sunday to Low Sunday. The priests in this country are, however, so few, and the penitents so numerous, that Paul V. granted a longer term, that is to say, from Ash Wednesday to the Ascension. (See Bull in Statutes of Dublin: the time is now further extended from Ash Wednesday to the octave of SS. Peter and Paul.—Synod. Thurl., p. 65.)

#### THIRD INSTRUCTION.

Ecclesiastics should avoid taverns, gambling, &c.; and devote their time to the study of the sacred volume, spiritual reading, &c. They are therefore recommended to bring with them some summary of cases of conscience, which they should read every day. They are also to provide the Roman Catechism, that compiled by P. Canisius, or other approved author, whence

they may learn how to teach the people the principal mysteries of faith, and the duties of their state of life. Ecclesiastics are also bound to avoid the society of heretics, and all controversy with them; unless with a view to their conversion, and with the leave and approbation of their superiors.

#### INTEMPERANCE.

A baneful custom has crept into the kingdom within the last few years, which has caused the ruin of many souls, and destroyed the health of soul and body—the fearful evil of challenging others to drink. Now, that this crime may be rooted out effectually and immediately, we solemnly forbid all ecclesiastics, under pain of suspension, from accepting such challenges, and still more from giving them; and all laics guilty of this crime are to be excluded from the sacraments, and the sin reserved to the Ordinary.

#### AVARICE.

“Because harsh and untimely demands for charitable contributions spring from avarice and the love of gain, we forbid priests from making any such demands during the holy sacrifice. If any one is recommended by the Ordinary, let him collect the offerings of the faithful, after Mass. And since the same evils flow from the practice of exhibiting sacred relics, pictures, &c., and even the proper worship due to sacred things is thus brought into contempt with heretics, we also ordain that, for the future, no relics, no images of saints, &c., shall be carried about by those who collect alms, unless with the written approbation of the Ordinary—to be given only on special occasions.

“Another abuse we wish to correct is, that of laymen, who bring with them some pretended relics of saints, dip them in water, and then, with various religious exorcisms, sprinkle men and beasts—for this is clearly an act of superstition, not of piety.

“Superiors should also oppose those superstitious practices which occur sometimes at wells, trees, &c. If it be certain that these waters have naturally, or through the intercession of a particular saint, the power of healing, or any virtue, the people are not to be prevented from assembling there, provided the danger of abuse be removed.

“As some simple priests denounce from the altar, nay, excommunicate without any authority whatever, persons guilty of theft, or of receiving stolen goods, we prohibit such denunciations, under the most severe penalties.”

#### INDULGENCES.

Although the grant of indulgences is a great means of nurturing devotion, especially amongst the faithful, and bringing back sinners to repentance and confession of their sins, however, it is quite certain that the too frequent and inconsiderate publication of them may lead to their contempt and abuse, particularly amongst the uninstructed, who do not understand fully the dispositions necessary to gain them. Hence, some persons persuade themselves that, however grievous their sins, even when they are bound to restitution, they may still obtain free pardon of all by means of indulgences, without any other good work, and, what is worse, from time to time imprudent priests give grounds for this belief, by declaring that

indulgences remit the guilt and punishment of sin, without further explanation, and presume to absolve by virtue of these indulgences from all sins, however grievous, from censures and reserved cases, sometimes even in other dioceses and parishes, without leave of the Ordinary; now, being very anxious to prevent these and other evils that flow from the indiscriminate publication of indulgences, we enact that henceforth indulgences granted to any particular place shall not be published without showing the document conferring this power to the Ordinary beforehand, and obtaining his consent. When indulgences are granted by the Holy See to private individuals, these may be given in private, after imposing some work of penance; they cannot be published before large assemblies, without being liable to abuse.

#### FOURTH INSTRUCTION.

#### FASTS AND ABSTINENCE.

According to the usage of the Church in Armagh, abstinence is prescribed from flesh meat on all Wednesdays and Saturdays throughout the year; and on Fridays from eggs also, and white meats. On vigils and quarter tenses, eggs and white meats may be used, except on Fridays, and the vernal quarter tense. The vigil of Pentecost is a fast day. Eggs are not allowed on the Sundays during Lent; but it is not necessary to fast, or abstain from white meats. On the other days of Lent, all are bound to abstain both from eggs and white meats; and to fast on one meal, unless excused on account of ill health, with the advice of the physician and parish priest. Pious persons are in the habit of fasting on all Fridays throughout the year, and on the vigils of the chief festivals of the B. V.—her Nativity, Conception, Annunciation, and Purification; but this fast is regarded by others one of devotion, not of obligation. (It is hardly necessary to say, that the discipline of the Irish Church is now very different.)

#### POWER OF COMMUTING FAST AND ABSTINENCE, GRANTED BY THE HOLY SEE.

(*See the Bull of Clement VIII., in Statutes of Dublin.*)

By virtue of this indult, all vicars-general and vicars-forane, preachers approved by the Ordinary, and priests with the cure of souls, &c., are subdelegated by the Archbishop of Cashel, in the absence of the primate, with powers to commute this obligation of fasting, on certain conditions.

#### HOLY-DAYS.

The duty of abstaining from servile work begins and ends with midnight; and this we desire all to understand, to remove the scruples that arise from the observance of different customs. When in harvest-time the crops may be injured or lost unless the people work, they may be permitted to do so on holy-days after Mass; but not on Sundays, without extreme necessity. Holy-days abrogated in the Provincial Council of Armagh, under Primate Dowdal, held in Drogheda, 16th February, 1556; but on which priests are still bound to say Mass:—Conversion of St. Paul, Visitation of the B. V.; St. Margaret, St. Anne; Beheading of St. John B.; St. Francis, St. Augustine, St. Clement; Chains of St. Peter; St. Bernard,

St. Barnabas; Exaltation of Holy Cross; St. Nicholas. Vigil of the Purification is to be observed on vigil of St. Brigid. This same law is said to have been also made at the Council of Kells, 1142.

Holy-days to be observed, according to the usage of Armagh:—All Sundays in the year; Christmas, and three following days; Circumcision, and Epiphany; Easter, and two next days; Pentecost, and two next days; Ascension; Corpus Christi; Finding of the H. Cross; Festivals of the B. V., Conception, Purification, Annuntiation, Assumption, and Nativity; Dedication of St. Michael; Nativity of St. John B.; Feasts of Apostles and Evangelists, as they are found in the calendar; St. Laurence, Martyr; St. Martin, B.C.; St. Patrick, Apostle of Ireland (on the 17th March); St. Mary Magdalen; St. Catherine, Virgin and Martyr; All Saints'; Dedication of the Churches, with Octave, on the next Sunday after 30th September. All Souls' is generally not observed after noon; Feasts of Patron Saints, according to the custom of the place. (See p. 318.)

#### CONFRATERNITIES.

Confraternities, hospitals, and all other pious foundations, however named, whose object is to promote the worship of God, the relief of the poor, and the salvation of souls, though they may be managed by laymen, can still be visited by the Ordinary; and the accounts examined by himself, or persons deputed by him. Laymen refusing to submit should be excluded from the church. Pious legacies, for determinate purposes, must be so applied; but when the purpose is not specified, then the bequest is to be applied according to the discretion of the superior, and well-approved usage.

#### APPENDIX ON THE COUNCIL OF TRENT AND GREGORIAN CALENDAR.

“What has come to our knowledge on the testimony of trustworthy persons, regarding the promulgation and reception of the Council of Trent in this province is this—that some of our prelates, in the year 1587, met together in the diocese of Clogher, namely:—Redmond, Bishop of Derry; Donald, Bishop of Raphoe; Cornelius, Bishop of Down and Connor; Edmund, Bishop of Ardagh; Richard, Bishop of Kilmore; Cornelius, Bishop of Clogher; and Eugenius, of Achonry; and that they published there, before a large number of the clergy, the Council of Trent; ordering also that the decree on the reformation of marriage should be received in each parish. The result was, that in many dioceses of the province of Armagh, and in parts of Tuam, the clergy endeavoured to introduce the laws and decisions of that council, and to conform to them in their ecclesiastical tribunals. Still it is not certain whether the decree on the reformation of marriage was published in each parish of these dioceses; and it is well known that in other dioceses, or at least in the greater part of some of them, this decree was neither published nor received. The same may be said of the Gregorian Calendar. Now, as a fearful change has taken place in this province from the time of that publication, such as it was, especially since the arrival of the new Scotch and English settlers, who profess a different religion from the native Irish, we are now called upon to consider what is more expedient amidst this variety of customs and

tribes; particularly as in other provinces of Ireland almost all the Catholics retain the ancient method of reckoning time, and their old usages; and even foreign Catholics, coming to this country, at once accommodate themselves to the habits of our people.

"The province of Armagh may be divided into three parts, in one of which the Council of Trent was never received or published, nor the Gregorian Calendar; in the second, both were admitted to some extent while the inhabitants enjoyed peace; but when the new colonies were planted with their garrisons and outposts, order and ecclesiastical discipline could be observed no longer; and the Catholics that still remain of the ancient stock and faith, surrounded by the new settlers, can hardly follow out the old canons and style; much less can they adopt a different calendar, and the discipline sanctioned at Trent, since the difficulties of the times, the numbers of settlers living about them, and threatening them with ruin, for these men are always ready to provoke and oppress their Catholic neighbours with new injuries, render such observance impossible. In this disturbed state, not even parish priests can be appointed, nor parishes well defined; and yet marriage, which is suggested by natural instinct, and necessary for the propagation of the human race, should not be restricted too much by laws too severe in the circumstances. In the third part of the province, although not entirely free from the persecution and violence of heretics, who rule almost everywhere, there is still less injury and oppression, a higher respect for discipline, and a greater number of Catholic priests, than in that of which we have just now spoken.

"Hence, considering all these circumstances, we deem it more prudent to await the decision of the Holy See, rather than impose a new onus on those who are already burdened overmuch; and therefore, while we receive, even in the districts or dioceses in which they were not published as yet, all those decrees of Trent that tend to lighten the obligations of the faithful, such as the limitation of spiritual affinity, and of affinity from illicit intercourse, of public honesty, &c., we do not think it wise to extend to them also the decree annulling marriage without the presence of the parish priest; and throughout the rest of the province, we declare that the place of the parish priest may be supplied by those that are delegated, though they may have no benefice nor canonical institution. This we deemed it our duty to declare more explicitly, on account of the rashness of some, who are disposed to proceed too hastily to divorces.

"If there be dioceses in which there are neither canonically instituted nor delegated priests, and that marriages have been contracted in these districts, without regard to the decree of Trent, and without reference to it, we forbid the parties from being separated in such cases, and any sentence of divorce from being pronounced, on the ground that the parish priest was not present; because, if such divorces were admitted, where the parish priests are so few, frequent concubinage would be the result.

"With regard to the Calendar, this year is most favourable to a change, because in it the new and old methods of reckoning agree as to the time of Easter, and the other movable feasts that depend on it. Hence, if Protestants could be at all induced to adopt the new system, nothing could be more desirable; but if they will not adopt it, as Catholics could not recede after having once conformed to the Gregorian Calendar, and

they would be forced by the municipal laws to observe the old system also, we cannot prudently thus increase twofold their festivals, and add very much thereby to their obligations—we who should sympathize rather with our people, because of the afflictions they already bear. If, therefore, Catholics of their own free will, and with the tacit consent of their ecclesiastical superiors, conform to the habits of those among whom they live, we do not forbid them; and in the mean time we await the decision of the Holy See, ever ready to obey respectfully, and hear the voice of St. Peter in his successor. We recommend all vicars-forane and parish priests, the entire clergy and people, as dutiful sons of the Church, to follow as their surest guide and model of ecclesiastical discipline the decrees of that Council, which throughout the Catholic world deserves and receives reverence and obedience. If the unhappy times in which we live do not permit us to adopt all the improvements we would desire, and to follow all the usages of the Church with becoming obedience, let us not therefore omit what is within our reach; but rather, with the Apostle Paul, forgetting the past, let us stretch forth to what is to come: trying all things discreetly, let us effect what we can.

“He who knows the clay of which we are formed, and regards our imperfection with an indulgent eye: He will supply what is wanting, to whose infinite goodness we commend ourselves and all that we have, our Church and our country, for the relief of which we order, during the session, frequent sacrifices and prayers, fasts, and works of mercy, in the manner prescribed elsewhere.”

#### NOTE ON THE LAW OF CLANDESTINITY.

##### *Law of Clandestinity in Munster.*

In the province of Munster, “The Law of Clandestinity” was solemnly published on the first Sunday of September, 1775, in accordance with the following resolution, adopted at a provincial meeting in Cork, July 15, 1775:—

“Nos Archiepiscopus et Episcopi Provinciæ Memoniensis, consultatione habita de recipiendo et publicando in tota hac provincia decreto Concilii Tridentini de matrimoniis clandestinis irritandis, unanimiter decrevimus et statuimus id decretum in nostris respective diocesibus acceptare et publicare ea omni solemnitate quam in hoc regno adhibere fas est, incipiendo a prima Dominica Septembris proxime futuri, ejusque observationem districtè injungere tum parochis, tum populo, omni qua valemus auctoritate et industria. Datum Corcagiæ hac 15 Julii die, A.D. 1775.

“JACOBUS, Archiepūs Cassel.; DANIEL, Limeric. Episcopus; JOANNES, Corcagiensis Episcopus; MICHAEL PETRUS M’MAHON, Epūs. Laonensis; MATT. M’KENNA, Epūs. Cloyn. et Ross.; GULIELMUS EGAN, Epūs Waterf. et Lism.; FRANCISCUS MOYLAN, Epūs. Kerriensis.”

See Dr. Butler’s reply to Card. Antonelli, *infra*.

We have no reason to believe that the decree of Trent was received at any former period, either generally or in parts of the south, and fell

afterwards into disuse. In the Synod of Cashel, in 1685, under Dr. Brennan, the Fathers accepted all the decrees of Trent as far as the circumstances of the time allowed. But they could not then receive, they add, the law of clandestinity, on account of the evils that would result.

From that time down to 1775, no change could have been introduced in this regard. In the two southern dioceses, Kerry and Killaloe, where the Catholic population was always largest, absolutely and relatively, and where the inconvenience arising from its reception would be least, we have the clearest evidence to prove that the law was never promulgated.

Dr. Nic. Madgett, translated from Killaloe to Kerry in 1753, and well acquainted, therefore, with the usages in both districts, speaks of the impediment of clandestinity in a way that shows he regarded it as unknown from time immemorial in those dioceses. See his *RESOLUTIONES plurimorum casuum conscientiæ* (MS.), vol. i., p. 597:—"Cum autem nostrates Conc. Trid. quoad hoc caput (Imped. Clandest.) recipere non possunt sine magna confusione, et perturbantia quæ orirentur ex legibus Protestantium huic Trident. decreto contrariis; ideoque secundum jus commune vivere et praticare cogantur, hinc est quod cum nostrates non spectet, de eo ulterius disserere superfluum fore judicavi." (Dr. Madgett's work, to our shame, remains still unpublished.) The charge against the religious orders, p. 273 *sup.*, was false and calumnious.

#### LAW OF CLANDESTINITY IN THE PROVINCE OF TUAM.

From the first paragraph in the "Summa Compendiosa" of the Statutes of Tuam, which was drawn up in 1658 (see it printed in App. D), we might be led to suppose that the law of clandestinity was ordered to be published in the western province at the Council of 1631, under Archbishop Quely; but no decree to that effect is found either in the Council of 1631, or in that of 1639. The 30th canon of the former forbids parish priests from celebrating marriage unless two witnesses at least proved that there was no canonical impediment; and the 8th canon of the latter merely threatens severe penalties against the priest who assists at clandestine marriages, "and the parties who engage in such *illicit* contracts." But there is not a word in either synod to show that clandestine marriages were not only forbidden, as they always were—"for the Church for the justest reasons always detested and forbade them" (Con. Trid. Sess. XXIV., Cap. i., *de Reform. Matrim.*), but moreover *null and void*. It is plain still from the statutes of 1658 (Tuam), whenever the law was introduced, that the impediment of clandestinity was then admitted in the dioceses of Elphin, Achonry, and Killala, and not in Tuam, Clonfert, and Kilmacduagh.

On the 9th April, 1745, the Most Rev. Michael O'Gara, Archbishop of Tuam, ordained that the decree of Trent should be published in every parish of his diocese the first three Sundays of July in that year, and should be binding thirty days after the first promulgation. I have not ascertained as yet when it was received in Clonfert and Kilmacduagh, but I take it for granted these dioceses followed the example of the archiepiscopal see. Galway alone, always so jealous of its privileges under the wardenship, made no change until the 2nd December, 1827, when the

law of clandestinity was published throughout every part of Ireland where it had not been received hitherto.

“Statutum Illust. ac Revermi. D. D. Michælis O’Gara, Archi. Tuamensis, quo recipitur Decretum Sacrosancti Concilii Tridentini œcumenici Cap. i., p. 24, de refor. Matri.

“Cum sanctum Cn. Tridm. ex justisimis causis quæ ibidem C. 10, p. 24 recensentur, eos qui præterquam parcho vel alio sacerdote de ipsius, seu Ordinarii licentia, et 2 vel 3 testibus matrimonium præsentibus contrahere attentaverint ad sic contrahendum omnes inhabiles reddat, et hujusmodi contractus, quos semper detestata, et prohibuit ecclesia, irritos, et nullos faciat, et cum hoc saluberrimum decretum in Diœcesi nostro Tuamensi nondum publicatum fuerit. Hinc nos Michl. miseratione divina et Apos. Sedis gratia Archiepiscopus Tuamensis &c. &c. ad evitanda gravia peccata et innumerabilia mala atque infortunia quæ ex clandestinis matrimoniis ortum habent salubre istud Sacrosancti Concilii Triden. œcumenici decretum de communi omnium nostræ Diœcesis parochorum approbatione et consensu accipimus, probamus, et ratum habemus: præcipimusque omnibus et singulis, qui in præfata nostra Diœcesi curam habent animarum, ut istud œcumenici Con. decretum quo matrimonia clandestina, clandestinitate orta ex defectu præsentis parochi et testium irrita facit, et annullat, publicare et explicare curent in parochialibus sacellis, idque tribus primis diebus Dominicis Mensis Julii anni currentis. Deinde quoque vero quoties expedire videbitur, hocque decretum in unaquaque parochia dictæ nostræ Diœcesis suum robur post dies 30 habere incipiat a die primæ publicationis in eadem parochia facta numerandos.

“Datum hac die 9<sup>a</sup> Mensis Aprilis, Anno Domino 1745.

“ML. A. TUAMENSIS.

“Decreta seu statuta capitularia Diœcesana facta in congressu capitali et Deputatorum cleri Tuamensis habita in loco campestri vulgo dicta Schilram præsidente Illus. ac Revdsso. D.D. Michali O’Gara, Archp. Tuamen. hac die 26 Mensis Augusti, A.D. 1746.

“Statuitur 1<sup>o</sup> quod Decretum sanss. Ci. Tridni. ss. 24a de reform. Matri. Cap. 1<sup>o</sup>, antea hac in Diœcesi Tuamensi promulgatum, stricte observetur.”

#### LAW OF CLANDESTINITY IN PROVINCE OF DUBLIN.

The provincial statutes of Kilkenny, 1614, and of Dublin, 1685, state expressly that the impediment of clandestinity was not admitted, and could not be at the time without much inconvenience. About 1775, when the prelates of Munster, as we have seen, solemnly published the decree of Trent, their brethren in Leinster felt on the one hand that the evils already existing from the non-publication of the Tridentine law would be increased by a difference of discipline on this important question, and on the other that the evils anticipated from its publication would be much greater in their province, where the population was more mixed. The clergy of Dublin, with few exceptions, and these few suspected of being entirely influenced by the example of the southern bishops, were against the decree being received, because of the inconveniences which would arise from the civil law, which ratified clandestine marriages between



Catholics, though invalid before God where the Council of Trent was received, and annulled marriages between Protestants and Catholics, which might be, for as yet the Holy See gave no decision, pronounced valid *only on condition* of being celebrated before the parish priest and two or more witnesses. It was not clear even whether marriages between Protestants themselves would not be affected by the impediment. The advocates for the Council being received relied chiefly on the alarming consequences of "*couple-begging*," a thriving trade at the time of a few degraded priests, who assisted not only at secret marriages, but also married young men without certificates from their pastors. Discontented Catholics, objecting for one reason or another to appear before their parish priests, perhaps to evade the payment of the usual fee, perhaps to keep their marriage secret even from parents and friends, had still conscience enough left to feel unhappy without the blessing of the minister of religion. The "*Tackum*," as he was called, never refused his services, and interposed no delays. About the very beginning of this agitation, it was suggested that the prelates of Leinster might adopt an easy expedient to free themselves from their difficult position—they should not bind themselves *for ever* by promulgating the law of Trent, but first test, as it were, the results, by declaring such marriages invalid for a time, from which declaration they might afterwards recede, if necessary.

To this scheme Dr. Troy was consistently opposed. "We," speaking in the names of Drs. Carpenter and Keefe also, he says in a letter to Dr. Sweetman, October 20, 1777, "foresee inconveniences likely to result from that step (receiving the Council), but are agreed that they bear no proportion to the scandal and abuses occasioned by the present system. As to the mentioning the Council of Trent when we shall receive it, I humbly beg leave to remark that no national, much less a provincial council, can declare clandestine marriages invalid. That belongs to the Pope, or general council confirmed by him; wherefore I apprehend we shall be necessitated to publish our acceptance of the Council of Trent, as by its decision and authority clandestine marriages were annulled, although the different prelates were at liberty to receive the decree or not." In another letter to Dr. Egan, of Clonmel, September 9, 1779, he writes: "I forgot to inform your lordship in my last that it has been unanimously resolved upon by the clergy of this province to receive and enforce the decree of the Council of Trent respecting clandestine marriages; but it has been judged prudent to defer the publication thereof until after the conclusion of the approaching session of Parliament." This resolution was not, however, carried into effect, because various opinions began to be entertained about the validity of mixed marriages where the Council of Trent was received; and the Leinster bishops thought it prudent, before publishing the law of clandestinity, to consult the Holy See on so important a subject. All were even determined, except Dr. Keefe, who saw no great harm in adopting the discipline of the Council though mixed marriages were declared invalid, not to publish the decree at all, if marriages between Protestants and Catholics should be declared null, when contracted without the presence of the parish priest and witnesses. —(Troy's Letters to M'Mahon, Sweetman, and Carpenter, dated respectively November 29, December 5, 1779; July 29, 1780.)

In 1779, the following letter, evidently written for the purpose of being sent to the Sac. Cong., but whether forwarded in this precise form we cannot say, was prepared by Dr. Troy, and is printed here from a copy in his hand-writing:—

*“Letter of the Leinster Bishops on the Validity of Mixed Marriages, and the Irish controversy thereon, consulting seemingly the Congregation of the Propaganda, November 13, 1779:—*

*“EMI ET RMI DNI.*

*“Infrascripti Præsules humiliter exponunt, in nonnullis Regni Hiberniæ Diœcesibus, jam receptum fuisse atque executioni demandatum S. Concilii Tridentini Decretum irritans matrimonia clandestina. Ex dicti Decreti publicatione gravis exorta est inter ipsos Præsules controversia, circa validitatem matrimoniorum, quæ in iisdem diœcesibus contrahuntur a Catholico viro, aut muliere, cum hæreticâ feminâ, aut viro sine Catholici Parochi præsentiâ; nonnullis pro dictorum matrimoniorum nullitate pugnantibus, aliis vero pluribus pro eorum indissolubilitate contententibus. Hinc perturbatio maxima, atque in re summa scandalosa disciplinæ varietas. Prioris sententiæ fautores præcipue innituntur citato Tridentino Decreto, per quod irrita declarantur quæcumque matrimonia, aliter quam coram parcho, vel alio sacerdote de ejus licentiâ contracta, in iis locis, ubi Decretum illud receptum, et publicatum fuit. Addunt insuper matrimonia inter unam partem Catholicam, et alteram hæreticam semper ab Ecclesiâ detestari, atque pro nullis et invalidis reputari a civilibus regni legibus, quæ cum Ecclesiæ statutis, in hac re, conspirare videntur.*

*“Verum alterius sententiæ patroni parvi faciunt allata adversariorum argumenta. Aiunt enim, in Hiberniâ æque ac in Hollandiâ, cæterisque Belgii fœderati provinciis, hæresim nedum impune grassari, verum et dominari; ex quo perspicuum ipsis videtur, valida esse præfata matrimonia, cum pro Hollandorum aliorumque in dictis fœderatis provinciis matrimoniis, extet Instructio Benedicti XIV. edita die 4 Novembris, 1741, per quam firma et valida declarantur. Hanc eorum sententiam mirifice confirmari, atque illustrari existimant, multiplicibus iis rationibus quas idem summus Pontifex sapienter de more expendit in percelebri suo *de Synodo Diœcesanâ* opere, Lib. VI. cap. vi.—Agnoscent quidem, matrimonia inter unam partem Catholicam et alteram hæreticam, semper ab Ecclesiâ detestari, tanquam graviter illicita, non tamen uti irrita reprobari; legesque Hiberniæ dicta matrimonia de facto annullare: verum ex hâc legum civilium cum Ecclesiæ decretis apparenti consensione, magis roborari dicunt eorum sententiam, cum omnibus juris Hibernici peritis constet præfatas leges in odium et damnum fidei Catholicæ expresse editas fuisse, eoque unico fine observari, ut impediuntur bona illa, quæ Catholicæ religioni ex talibus conjugiiis, in hoc regno multoties obveniunt, et gravi subversionis periculo exponatur pars Catholica.*

*“In Provincia Dubliniensi nondum publicatum fuit sæpe dictum de clandestinis connubiis Decretum, neque id publicari expedit, donec istius Provinciæ Episcopi certo sciant quam regulam methodumque in controversâ materiâ sequi, et observare debeant. Dignentur igitur Eminentissæ Vestræ, quibus Tridentinorum Decretorum interpretatio peculiariter a*

S. Sede Apostolica commissa est, opportuna aliqua declaratione, a SSmo Dño Nostro Pio VI. approbanda, maxima incommoda ex sententiarum diversitate provenientia amovere, disciplinæque unitatem, in gravissimâ de quâ agitur re stabilire.

“Et Pro Gratia, &c.

“Dabamus Dublinii, diē 13 Novembris, 1779.”

In 1780, Card. Antonelli consulted the Irish archbishops on their views regarding the validity of mixed marriages where the law of clandestinity was published. The prelates of Munster proposed to meet in Limerick, 7th August, same year, and again 20th August, to prepare a reply to his Eminence's question, but they were prevented by more urgent business. Dr. Butler, knowing that they would decide unanimously for the validity, thought it more prudent to send his own reply to Rome without further delay:—

“*Dr. Butler's Answer to Propaganda on Mixed Marriages*

“Emssmo et Rdssmo Cardinali Antonelli  
Sac. Cong. de prop. Fide Præfecto.

“EMSSME ET RDSSME DŌE,

“Emssmæ Dōis vřæ quæsitis de matrimoniis Protestantium cum Catholicis in hoc regno jamdudum pro posse meo satisfacere studueram, et ad id plenius faciendum Synodum Epōrum provinciæ die 20 Mensis Augusti ultimo elapsi habendum indixeram; cum ex improvise injustissimæ de me a nescio quo ministello ad Supremum gubernium delatæ quærelæ omnem animum ad maliciosissimas istas calumnias propulsandas convertere, indictamque Synodum ad tempus opportunum magis remittere compulerunt: detectâ verò istarum falsitate et patefactâ malitiâ, primo mihi dato otio utor ad Emnißmæ Dōis vřæ litteris circa Matrimonia Cathol. cum Protestantibus responsum faciendum. Tria sunt præcipuè juxta litteras Emæ vřæ circa quæ instrui se optat Sacra Cong°. priusquam ad difficile negotium de Matrimoniis Protest. cum Cathol. in hoc regno dirimendum procedat. Primo: num decretum Con. Trid. de Matrimoniis Clandestinis in omnibus Hybernæ Parochiis receptum fuit, et modo a Con. Tridentino præscripto promulgatum?

“2°. Num Matrimonia Catholicorum cum Protestantibus in hisce partibus frequentia sint?

“3°. Num casu quo declararentur dicta Matrimonia valida non servatâ lege Tridentinâ in locis ubi dicta lex recepta fuit, nata forent inde infasti exitus et incommoda?

“Ad pleniorē quidem responsionem expectanda foret a me Synodus episōrum Provinciæ: ast cum nimium tardaret longior mora cupidum quantocius Emæ Dōis vřæ testandi quàm mihi et cæteris Momoniæ Præsulibus gratum erat audire Emßam Dōem vestram ad Sac. Cong. de prop. Fide præfecturam nominatam fuisse, æque tempestivum putavi Eminentiis suis impertiri quæ mihi circa validitatem Matrimoniorum Cathol. cum protestantibus in hac provinciâ ubi receptum fuit decretum Con. Trid. annotanda accurrerant.

“Et primo Emßme: quidquid sit de aliis Hybernæ provinciis quarum disciplina circa Matrimonia Cathol. cum Protestantibus Sacræ

Cong<sup>l</sup>. certius innotescet ex relatione eorumdem episcoporum, et in quibus, solâ Lageniâ exceptâ, acceptatum jamdiu fuisse audivi Decretum Con. Trid. de matrim. clandestinis: de meâ provinciâ provinciâ certissime asserere possum, quod in ipsâ rite receptum fuerit anno 1775, riteque promulgatum, et post 30 ab ipsius promulgatione dies in singulis parochiis vim legis habuisse adeo ut ab illo tempore omnia Matrimonia aliter quam coram proprio paroco aut altero de ejus licentiâ et duobus vel tribus testibus celebrata, vi receptionis istius Decreti, invalida et nulla censebantur.

“2°. Frequentia quidem semper nimium fuerunt Clandestina Matrimonia Catholicorum cum Protestantibus, non obstantibus gravissimis pœnis, quibus taliter contrahentes prosequeremur; at non est verendum quod frequentiora evadant receptione Con. Trid. Decreti de Matrimoniis Clandestinis, admissio etiam quod Con. Trid<sup>l</sup>. Decretum eorum validitatem non inficiat: cum enim in locis ubi dictum Decretum non est receptum in hoc regno, et in hac ipsâ provinciâ ante ipsius receptionem valida semper reputata fuerint dicta Matrimonia, nihil novi inducet receptio decreti quoad ista Matrimonia, et consequenter nullum est periculum quod ex ipsius receptione Matrimonia ista multiplicarentur, præsertim cum subsistant semper eadem pœnæ in talia illicita connubia attentantes infligendæ.

“3°. Respondeo me nulla nova prævidere enascentia incommoda ex S. Cong<sup>l</sup>. declaratione in gratiam validitatis Matrimoniorum Clandestinatorum Cathol. cum Protest. quamdiu eadem servetur disciplinæ severitas erga taliter contrahentes. Ast plura præscio secutura, si semel declaretur legem Tridentinam annullare omnia Matrimonia, tum Protestantium inter se, tum cum Catholicis, si sine Parochi et duorum testium præsentia celebrentur: tunc enim infausta illa pertimescenda sunt consecraria quæ recenset Bened. XIV. in eruditissimo suo de Synodo diocesana opere Lib. VI. Cap. vi. Sectione x. et xii<sup>ma</sup>.; in illo enim casu non solum Matrim. Cath. cum Prot. verum etiam Matrim. Protestantis cum Protestante invalidum dici debeat, cum ipsi nunquam in hoc regno observent legem Tridentinam in Matrimoniis celebrandis.

“Aliunde Decretum illud si semel supponatur invalidare Matrimonia Clandestina Cath. cum Protestantibus, non in ædificationem sed in destructionem foret in hoc regno: coincideret enim cum lege pœnali regni quæ dicta matrimonia invalida declarat, ut Catholici inducantur religionem suam mutare si velint Matrimonium inire cum Protestantibus: cui quidem tentationi exponuntur sæpissime, cum Protestantes merito suæ religionis iis omnibus gaudeant privilegiis et beneficiis civilibus quibus ob suam fidem privantur Catholici; hinc ob illud periculum perversionis cui data lex subjacet frequenter Catholicam partem, ipsâ a nobis pro nullo habitâ, Matrim. Clandest. Prot. cum Cath. etsi graviter illicita attamen valida semper a nobis habita fuerunt. Sed si lex nostræ Ecclesiæ Matrim. Clan. Prot. cum Cath. pariter annullaret eidem periculo exponit Catholicum ac si lex ista pœnalis vim legis haberet, quod quidem consecrarium adeo religioni formidandum mihi videtur, ut quantumvis ambirem receptionem Concilii Decreti, tum ut disciplina meæ provinciæ in Matrimoniis celebrandis conformior sit disciplinæ universaliori Ecclesiæ et hujus regni; tum ut efficacius supprimerentur Matrimonia Clandestina inter Catholicos nostros quorum nimiam frustra dolebamus frequentiam, ipsius tamen Decreti publicationem Epîs provinciæ nunquam propo-

suissem, si unquam suspicari potuissem istius Decreti promulgatione invalidari Matrimonia Protestantium vel inter se vel cum Catholicis. Ast longe abest, ut quid tale suspicarer, quin e contra nihil magis pro explorato habui quam talia Matrimonia valida etiam manere post receptionem istius Decreti. Mihi enim præsens mente obveniebat quod scripserat Bened. XIV. in laudato opere de Synodo Diocesana, L. 6. Cap. 6 scilicet, Cardinales Tridentini Conc. interpretes in Congregatione coram se habitâ anno 1741 post longam quæstionis discussionem de validitate Matrimoniorum Protestantium inter se et cum Catholicis, sensu ipsius exposito, concordibus suffragiis in eam sententiam omnes ivisse quod sicut valida declarata fuerunt Matrimonia quæ in dictis partibus fœderati Belgii inter duo Prot. contrahentes inita fuissent sine Parochi præsentiâ, valida dici debeant illa quæ in iisdem locis inter duas partes, alteram Hæreticam, alteram Catholicam eodem modo contracta forent: quoniam cum conjugum alter, tum ratione loci, in quo habitat, tum ratione societatis, in quâ vivit, exemptus sit a Tridentinæ Synodi lege: exemptio, quâ ipse fruitur, alteri parti communicata remanet propter individuitatem contractûs, vi cuius exemptio, quæ uni ex partibus competit, ad alteram, secundum etiam civiles leges, extenditur, eidemque communicatur.

[Hic unum saltem folium desideratur in exemplari quod sic concludit.] Illegitimi, quod sane eveniret si nova lege æque afficerentur ac aliis Ecclesiæ Decretis: ad huic incommodo provide occurrendum conditionem adjunxerunt qua imposita fuit illius Decreti publicationis necessitas, ita ut in locis Protestantium, in quibus proculdubio nunquam expleta foret hujusmodi publicatio, non verificata conditione, a cuius existentia pendere voluit Concilium Decreti sui efficaciam, incolæ Protestantes nunquam astricti forent ad servandam formam in ipso decreto præscriptam. Cum igitur ex his quæ refert summus ille Pontifex Benedictus XIV. de mente Cardinalium Concilii Tridentini Interpretum, et ex Epistola quam ipsemet scripsit Revd. P. Simon, constare omnino videatur decretum Concilii non afficere Matrimonia Protestantium inter se, vel cum Catholicis; obviu est dicta matrimonia eodem modo se habere post receptum Concilii decretum in hac Provincia ac antequam receptum fuerit: jamvero cum dicta matrimonia semper pro validis ante Concilii Tridentini receptionem haberentur, nihil est quod mihi videatur impedire quominus et nunc quoque valida post ipsius receptionem censeantur: non lex Tridentina, quæ ut modo probavi cum non fuerit in Ecclesiis Protestantium promulgata ipsos obligare non potest; non lex pœnalis regni, quæ cum in Catholicæ religionis odium statuta fuerit et in perversionem animarum adhuc tendat, æque nulla et inefficax ad matrimonium Catholici cum Protestante invalidandum haberi debet post receptionem Concilii decreti ac antea. Plura addere juvaret: sed cum non sit cur diutius morer Em<sup>m</sup> D. V. nihil aliud restat quam ut has meas observationes Em<sup>m</sup> Patrum judicio submittam, simulque subscribar omnimoda veneratione,

“Em<sup>m</sup> Domine

“Em<sup>m</sup> ac Rev<sup>m</sup> Dominationis Vestræ

“Humillimus et addictissimus Famulus

“(JACOBUS BUTLER.)”

This letter, *without date*, was clearly in answer to the following inquiry:—

*"Letter of Propaganda consulting Dr. Butler and Munster Bishops on Mixed Marriages.*

"D<sup>no</sup>. Archep<sup>o</sup> Cassell., 20 Maii, 1780.

"PER ILLIS ET RME DNE UTI FRATER,

"Perlatum est ad hanc S. Cong<sup>m</sup>. de Propaganda Fide in aliquibus istius regni diocesisibus receptum jam fuisse, et executioni mandatum S. Concilii Tridentini Decretum irritans Matrimonia Clandestina; ex cujus publicatione gravem exinde ortam fuisse inter nonnullos Episcopos controversiam circa validitatem matrimoniorum, quæ in iisdem diocesisibus contrahuntur a Catholico viro, aut muliere, cum Hæretica feminâ aut viro sine Catholici Parochi præsentia; nonnullis pro dictorum Matrimoniorum nullitate pugnantibus, aliis vero pluribus pro eorum indissolubilitate contententibus. Pro cujus controversiæ decisione cum ad hanc S. Cong<sup>m</sup>. recursum fecerint; Eñi Patres laudarunt quidem eorundem Præsulum pietatem, atque egregium erga S. Sedem obsequium, sed voluissent hujusmodi quæstionem plenius ab ipsis expositam esse, singulasque circumstantias ita explicatas, ut ad eam dirimendam tuto, et causa bene cognita accedere possent. Pro hujus enim dubii resolutione variæ, atque graves utrinque occurrunt difficultates. Nam si decidatur, matrimonia, quæ sine Catholici Parochi præsentia contrahuntur, esse valida; statim latissimus hujusmodi Matrimoniorum multiplicationi aditus aperitur, quæ Catholica Ecclesia omni tempore reprobavit, et detestata est, utpote illicita, scelestâ, et periculi plena.

"Neque minora discrimina subeunda esse videntur, si Declaratio a S. M. Benedicto XIV. edita super Matrimoniis in Hollandiâ, et Belgio contractis, et contrahendis, ad Regnum etiam Hiberniæ extendatur. Nam pro Hollandiâ vehementer ambigebatur, an memoratum Concilii Tridentini Decretum esset promulgatum in singulis Parochiis, numerus Catholicorum erat valde exiguus, atque ideo frequentiora inter Catholicos et Hæreticos matrimonia; demum hujusmodi Matrimonia non modo a potestate sæculari permittebantur, sed etiam quicumque etiam Catholicus matrimonium contrahere vellet, lege adigebatur ad illud contrahendum coram ministro Hæretico. E contra in Hiberniâ et Tridentinum Decretum saltem in majori parochiarum parte promulgatum dicitur, et Catholici multo numerosiores Hæreticis habentur: leges denique ipsæ regni vetant, atque irritas volunt nuptias inter personas diversæ religionis contractas; quumque ad eas detestandas tam Ecclesia, quam Imperium conspirent, raro admodum accidere potest, ut quis utriusque potestatis leges parvi pendens, promiscuum hoc Matrimonium coram ministro Protestante contrahere audeat.

"Verum si ex altera parte hujusmodi matrimonia irrita, ac nulla declarentur, aliud non minus grave oriretur inconveniens, scilicet, quod omnia matrimonia ab Hæreticis inter se coram ministro Protestante contracta non aliter æstimari deberent, quam meri concubinatus; cumque eorum aliquis ad fidem Catholicam se converteret, teneretur consensum renovare, et matrimonium antecedens convalidare coram Parocho Catholico. Nam cum Hæretici non minus quam Catholici Ecclesiæ Legibus subjecti sint, si Tridentinum Decretum pro Clandestini Matrimonii nul-

litate vim habet pro unis, eandem vim habere debet etiam pro alteris, atque inde unusquisque cognoscere facile potest, quæ rerum perturbatio, quæve dissidia exurgerent, si vel in dubium revocarentur Hæreticorum Matrimonia; essetque periculum, ut quis pro excutiendo insuavis et parum grati Matrimonii jugo Catholicam Religionem amplecti simularet.

“Quamobrem S. Cong<sup>o</sup>. quum ad gravissimæ hujus controversiæ solutionem nonnisi maturè, et summâ cum circumspectione procedendum existimet, Ampl. Tuam de quibusdam factis, et circumstantiis interpellandam censuit, ex quorum notione rectum, justumque hujus quæstionis judicium pendere quodammodo videtur. Quare Amp<sup>o</sup>. V<sup>ra</sup> facta prius diligenti inquisitione, auditisque tuæ Provinciæ Episcopis S. hanc Cong<sup>m</sup>. certiorum reddere dignabitur an in singulis Hiberniæ parochiis memoratum Concilii Tridentini Decretum vere publicatum fuerit; et an authentica extant hujusmodi publicationis documenta; deficientibus vero documentis, an constans, et continuata ipsius Decreti observantia repetenda sit ab hoc Tridentini Concilii Statuto, sive potius a regni legibus, quibus clandestina Matrimonia prohibentur et irritantur. Animadvertendum enim est non sufficere solam Concilii publicationem ad hoc ut prædictum Decretum habeat vim legis, et Clandestina Matrimonia irritare possit, sed necessariam præterea esse specialem hujus Decreti publicationem in unaquaque parochiâ, sine quâ certum est idem Decretum vim minime habere, neque sufficere observantiam, per quam Clandestina Matrimonia in regno Hiberniæ invalida censeantur, nisi etiam constet hujusmodi observantiam introductam esse vigore legis ipsiusmet Concilii, et pro plena illius Decreti executione. Quum autem Hiberniæ regnum, peracto Tridentino Concilio, sub A catholicorum gubernio existeret, minime probabile videtur in omnibus Regni parochiis, aut in potiori earum parte factam esse sæpe memorati Decreti promulgationem.

“Præterea Amp. Tua docebit, quosnam effectus isthic produceret declaratio in Sede Aplica circa talium Matrimoniorum sive validitatem, sive nullitatem faciendâ, et an perturbationes, aut pericula excitari exinde possent. Significabit etiam sintne frequentia clandestina ista Matrimonia Hæreticorum cum Catholicis; et an, si nulla declarentur, periculum sit, ut complura Matrimonia jamdiu contracta cum ingenti familiarum incommodo, ac dissidio perfringantur. Insuper an aliquid molestiæ, aut detrimenti timendum sit Catholicæ Religionis ex parte sæcularis Potestatis; demum, an relictis hujusmodi matrimoniis in statu validitatis, adeo multiplicari possint, ut animæ contrahentium irreparabile inde detrimentum tum ex perversionis periculo, tum etiam ex prolis in Hæresi educatione perpetiantur.

“Atque hæc sunt, de quibus Amp. V<sup>ra</sup>m rogandam habui; dumque minime dubito, quin pro singulari tuo religionis zelo, et eximia, qua præstat, prudentiæ, et doctrinæ laude, huic S. Cong<sup>o</sup>. desiderio diligenter satisfactura sit, Deum precor, ut eam florentem, ac sospitem diutissime servet.

“ Uti Frater, Studiossimus,

“ L. CARD. ANTONELLIUS, PRÆFECTUS.

“Stephanus Borgia, Secretarius,  
“ Romæ, Maii, 20, 1780.”

## ANSWER OF C. ANTONELLI TO DR. BUTLER'S LETTER ON SAME SUBJECT.

"Romæ, 25 Decembris, 1784.

"PERILL<sup>us</sup> ET ERRE DOMINE UTI FRATER,

"Quam Ampl<sup>do</sup> v<sup>ra</sup> sub die 13 Septembris proxime elapsi, relationem misit de statu Casseliensis Diœcesis, ea Em̃is Patribus grata fuit, ac per-jucunda. Intelleximus enim ex illa, quanta sollicitudine Ampl<sup>do</sup> v<sup>ra</sup> ad rectum istius Ecclesiæ regimen incumbat, quantaque sedulitate curet, ut clerus bene instituitur, et grex sibi commissus semitam salutis percurrat. Quare dum vigilantiam vestram, et s<sup>a</sup> fidei promovendæ studium in Domino commendo, haud quoque desum præclaram hujus Sacræ Congregationis erga vos voluntatem testatam facere, speramus enim, te antistite, non mediocres utilitates Ecclesiæ isti dimanaturas.

"Venio nunc ad postulata duo Ampl<sup>l</sup> v<sup>ra</sup>, quorum altero sciscitabatur, num matrimonium initum inter Catholicum et hereticam validum dici debeat iis in locis ubi receptum est Concilium Tridentinum: alterum vero utrum liceat mutuanti aliquid ultra sortem accipere in isto regno. Quoad primum, cum res peculiari examine de mandato SS<sup>mo</sup> Dñi N<sup>ri</sup> tractetur, curabimus Amplit<sup>us</sup> v<sup>ram</sup> certiorum reddere de exitu statim ac res absoluta erit, quod propediem speramus eventurum. Quod autem pertinet ad secundum, insero vobis constitutionem fel: mem: PP. Benedicti XIV. quæ incipit *Pervenit ad aures nostras*, editam die 1<sup>a</sup>. Novembris 1745, in qua de hujusmodi materia opportune traditum est. Illius igitur doctrinæ omnino adhæreas oportet, atque interim longævam Ampl<sup>l</sup> v<sup>ra</sup> a Deo cum omni bonorum copia precor incolumitatem.

"Ampl<sup>do</sup> v<sup>ra</sup>"Romæ, 25 Decemb<sup>r</sup>, 1784

"Uti Frater Studiosissimus

"L. CARD. ANTONELLI, PRÆF<sup>us</sup>."S. BORGIA, SECR<sup>us</sup>.

"D<sup>no</sup> Jacobo Butler Archiepō Casseliensi  
in Hibernia. Thurlesiam."

In Leinster the question was debated more warmly, owing perhaps to the opposition of the clergy of Dublin to the law being introduced at all. But the opinion of Dr. Troy at length prevailed. His letters to Drs. Carpenter and Fallon contain a full and clear exposition of his view of the whole question, and agree substantially with Dr. Butler's answer to Rome. The reader must still remember in weighing their arguments, that the Pope *alone* has the right to declare how far the law of clandestinity is binding in this, or any other country, and the right also to modify it according to the requirements of the Church.

"MOST HON. AND REVD. DR SIR,

"My constant and various avocations in the country since I had the honour of your last favour, covering a copy of C. Antonelli's to you of the 10th May, deprived me of sufficient leisure to deliver my sentiments on both with that degree of satisfaction my respect for you commands, and the importance of the contents required. At present, a short respite from business and fatigue, on this day of rest, enables me to observe, that the caution of his Eminence is an indication of his prudence. His dread



of evil consequences from a declaration and decision against the validity of the marriages in question, is certainly well grounded; but I do not apprehend the smallest inconveniency from establishing their validity: no real innovation would thereby be introduced among us, because such marriages have been and are *de facto* regarded as indissoluble in the very districts where the discipline of the Council has even been lately enforced. If I am not mistaken, the laws of this kingdom do not annul these marriages, unless they are solemnized by a Catholic Priest. If he should join two Protestants, the marriage is likewise null and void, and in either case he is guilty of felony, without benefit of clergy, as per Stat. 19, Geo. II., cap. xiii. sect 1, anno. 1746; and Stat. 23, ejusdem cap. x. sect. 3, anno. 1750. A degraded minister of the Established Church, or any layman, pretending to be a clergyman thereof, is guilty of the same crime; but the marriage performed by either, or a licensed minister, is not declared invalid; and the last incurs no penalty; Stat. 12 Geo. I., cap. iii. sect. 1. I have made these extracts from Bullinbroke's Abridgment, Titulo *marriages*. I said that no innovation would be introduced among us, were the declaration and instruction of the 2nd section respecting Holland to be extended to this kingdom; because they would only ratify what is already universally practised, notwithstanding the speculative doubts of some prelates about the spirit and meaning of the Tridentine law. As to myself, although I have frequently and seriously considered the subject in every point of view, I have not discovered any solid reason for altering my opinion. I will regard the marriages of Protestants with each other, or with Catholics, in any part of the kingdom *as valid*. The account given by Benedict XIV. in his work *de Synodo diœcesana* of the deliberations of the canonists and divines, and likewise of the decision of the S. Cong. of the Council in 1741, on the subject, appears to me very satisfactory. The arguments in the 8th, 9th, 10th, 11th, and 12th numbers of the 6th book and chapter are remarkably conclusive, and undoubtedly determined him to publish the celebrated decree and constitution *Matrimonia*. I agree with Card. Antonelli, that the marriages between R. Catholics and Protestants are unlawful, wicked, and dangerous, and of course have been always and are still reprobated by the Church; but do not imagine that a declaration from the H. See of their being what they are now held to be, *valid*, would increase them; a repeal of the civil laws annulling them, and mentioned above, would multiply them much more effectually. I do not wish it for that very reason. His Eminence, in stating the different situations of Ireland and Holland with regard to these marriages, says: '*Nam pro Hollandia vehementer ambigebatur an memorandum Concilii Tridentini decretum esset promulgatum in singulis parochiis.*' Now, I appeal to you, if it does not clearly appear from Benedict XIV. *ibid.* n. VIII. and IX., that the divines consulted by him not only abstracted from that question of *fact*, but likewise established the validity of the marriages, even admitting that the decree of the Council had been duly received and promulgated in Flanders; I mean the United States. As to the greater number of Catholics in Ireland and Holland, and other discriminating circumstances between both countries, mentioned by the Cardinal, they are quite extrinsic to the main question, which is plainly this: *Does the decree of the Council of Trent annulling clandestine marriages affect Protestants, or other heretical societies, in all and every place where said*

*decree has been received and duly published?* This question, as I conceive, ought to be answered categorically and distinctly, without any attention to expediency, which never can alter the nature of things. It is the business of those prelates in whose district the discipline of the Council has not yet been adopted, to judge of the conveniency of enforcing it, after receiving a satisfactory answer to the above query; and such bishops as have, after the example of their predecessors, or from their own determination, required an observance thereof, are to abide by the consequences as well as they can. Although no positive or explicit answer has been given to the above question, his Eminence seems to deliver his own opinion with regard to it, when he says: '*Nam cum hæretici non minus quam Catholici Ecclesiæ legibus subjecti sunt, si Tridentinum decretum pro clandestini matrimonii nullitate vim habet pro unis, eandem vim habere debet etiam pro alteris.*' In my humble apprehension, this mode of reasoning savours of what logicians call a *Petitio Principii*. All Catholics must acknowledge that Christians of every denomination are, in general, subject to the Church on account of their Baptism; but the Prelates of Ireland, and many others, doubt whether Protestants, or other heretics, are subject to a particular disciplinary law or decree of the Council of Trent; and give very plausible, if not convincing, reasons in support of their opinion, which affirms that they are not. In this state of uncertainty, the H. See is consulted; and the Prefect of the S. Congreg., inadvertently I am sure, answers by supposing what is questioned—*nam cum hæretici &c. ut supra*. From my above remarks, you may easily guess my answers to the queries of his Eminence. Ad primum respondeo.—In provincia Dubliniensi nondum publicatum fuit memoratum Concilii Tridentini decretum; in majori vero parte parochiarum cæterarum provinciarum Hiberniæ diversis temporibus receptum et promulgatum fuit. In nonnullis parochiis extant dictæ promulgationis authentica documenta: in omnibus vero dicti decreti observantia repetenda est non a regni legibus quibus Matrimonia ipsorum Protestantium inter se, vel cum Catholicis coram sacerdote Catholico celebrata, irrita et nulla declarantur, sed a sacri Concilii statuto, ad effectum illud omnimodo exequendi. Ad secundum: Perturbationes maximæ, aliæque urgentia incommoda certissime orirentur in hoc regno. Si valida declarentur, nullum incommodum timendum, cum jam pro ratis et firmis habeantur, etiam in iis locis in quibus publicatum fuit Tridentinum decretum. Ad 3tium: cum impediri nequeat promiscua Catholicorum cum hæreticis communicatio, nimis frequentia sunt inter ipsos matrimonia ejusmodi clandestina. Ad 4tum: Si nulla declarentur, certum est quam plurima matrimonia jamdudum contracta in iis locis in quibus Concilii decretum publicatum fuit, cum ingenti familiarum incommodo et dissidio nec non publico scandalo irritanda et perfragenda fore. Ad 5tum. nihil molestiæ aut detrimenti timendum est ex parte sæcularis potestatis: in impedimento dirimente matrimonium ex consanguinitate aut affinitate, aliisque disciplinæ capitibus, diversa est praxis Catholicorum et Protestantium, quin ea ratione aliquid damni rei Catholice obveniat. Ad ultimum: cum pro ratis et validis jam communiter habeantur matrimonia de quibus agitur uti supra in responsione ad 2ndum Quæsitum: non possunt multiplicari ex declaratione facienda quod valida sint. Si vero leges civiles talia matrimonia irritantes modo supra expresso ad primum quæsitum, aliquando revocari contingat, tunc

quidem adeo multiplicari possunt, ut periculo hæresis amplectendæ exponantur contrahentes, et proles.

"You are at liberty to use the above communication of my thoughts as you think proper. I have worded it in the most unreserved and candid manner, in obedience to your command; but would not wish to convey the most distant idea of disrespect towards C. Antonelli, or Secretary Borgia. I am long and well acquainted with both, and can assure you they are remarkable for profound, extensive knowledge, consummate prudence, and disinterested zeal. I desire to know your opinion of my reflections, and pray you to communicate it for my instruction. It would be madness in us to adopt and enforce the discipline of the Council, till a satisfactory reply shall come from the city; and should it be *pro invaliditate*, I think it ought never be published in this province. In this and every other matter, I shall always pay due deference to your better judgment. . . . .

"Dr. Carpenter."

"J. T. TROY.

"MOST HON. AND REV. DEAR SIR,

"Your observations on the subject of C. Antonelli's letter are very just. In return for your kind and confidential communication of them to me, I send you enclosed a copy of my letter to Dr. Carpenter on the same topic. He is now on his visitation, and at his return to Dublin will answer the Cardinal. The prelates of Munster were to meet last Saturday near Limerick, in order to form a proper answer or representation to his Eminence. I could wish the Metropolitans agreed in their reports; for otherwise we cannot expect a satisfactory decision. You are at liberty to use the enclosed at discretion; I shall add another replication. The laws of this kingdom make no distinction between a P. P. and a *Tackum*, or couple-beggar. The marriages of R. Catholics solemnized by one or the other are valid by law. Hence it follows that the marriages between Catholics and Protestants are not annulled precisely because they are clandestine, but merely to prevent the danger, the possibility of the Protestant's conversion to the Catholic faith by the interference of the priest, or the persuasion of the Catholic spouse. If a Protestant and R. Catholic should be married by or before the P. P. of either in places where the decree of the Council has been duly published, the marriage, though null in law, I mean the civil law, would not be clandestine. The law of the State coincides with that of the Council in annulling the marriage of a Protestant and Catholic, but in a different manner, and from almost opposite motives. It is nullified by the Council because *clandestine*; the civil law declares it null from a hatred to R. Catholics, *in odium religionis*. This latter circumstance does not incline me to wish for a repeal of the laws which annul the marriage of a R. Catholic and Protestant. The pravity of intention in a legislator, or the *finis operantis*, cannot vitiate a law which, from its intrinsic tendency *ex fine operis* promotes the bonum commune. Many marriages with Protestants are certainly prevented by the law in question; and, although in my opinion they are valid, yet Catholics are deterred from contracting them, and therefore are less exposed to the danger of apostasy, and entailing heresy on their posterity. Should that law be repealed, our exhortations against such marriages would avail very little; and it is more than probable that any relaxation will be clogged with disagreeable and inadmissible clauses, relative to the issue of the contracting parties. But, of this, too much. I can't finish, however,

without glancing at an objection which may be made to my doctrine on the subject. If the repeal of the Civil Laws annulling the marriages of Catholics and Protestants be not desirable for the reasons above-mentioned, we ought, for the very same reasons, wish to have these marriages declared null and void by the H. See. To this I answer, that a declaration on the subject by the H. See will be only an interpretation of the decree of Trent, consequently ought to be published without any attention to our wishes or opinions. In that case I think the decision must be *pro validitate*, for the reasons assigned in the enclosed, and because the decree of the Council was enacted precisely to prevent *clandestinity* in marriages, without any view of invalidating them between the Christians of a different persuasion '*ex disparitate cultus.*' As to the eventual dangerous consequences to be apprehended from a declaration of their being valid, I cannot say anything more satisfactory than what you have judiciously remarked in your last. I had a letter lately from our friend Charles Kelly, of the 19th ultim., when he was well. He informs me of Dr. Brady of Dromore's death, at Capranica, near Rome, on the fourth do.

"Kilkenny, Aug. 10th, 1780.

"J. T. TROY.

"Dr. Fallon.

"It is more than probable that Dr. Bellew will succeed him in that see for reasons too obvious to mention."

The final decision of the Holy See was not known until March 3, 1785, when Pius VI. ordered the question to be discussed in his own presence; and the decree, signed by Cardinal Antonelli, pronouncing the marriage of a Catholic and a Protestant valid in Ireland, without observing the form of Trent, if no other impediment intervened, was despatched from Rome, March 19, 1785. In the provincial statutes of Dublin, A. D. 1831, p. 133, in the diocesan statutes of Meath, A. D. 1835, p. 89, and several others, this decree of Pius VI. has been published; but the text in all differs to some extent from that which we subjoin. Our copy was found among the papers of the late Right Rev. Dr. M'Mullin, of Down and Connor, and subsigned in his hand-writing are the words "*vera copia transmissa a Ricardo, coadjutore Armacano*":—

"Perillus<sup>m</sup> & Rever<sup>m</sup> Dñe uti Frater,—

"Exploratum est Ampñi vræ nonnullos Hiberniæ Antistites S. hanc Cong de Propaganda Fide postulasse, ut S. Sedis judicium ipsis innotesceret circa validitatem matrimoniorum quæ inter unam partem Catholicam et alteram hæreticam, non servata forma Concilii Tridentini, in isto regno contrahuntur. Cum igitur necessaria ad resolvendum dubium notitia requisita fuerit, ac demum sub die 3 Martii currentis anni in maturum examen, in S. Congñe S. Officii coram ssño Dmño nostro Pio P. P. VI., revocatum fuerit, Sanctitas sua, auditis Emssñs D. D. cardinalium generalium Inquisitorum Suffragiis decrevit matrimonia mixta in Hibernia contracta et contrahenda, non servata forma Concilii Tridentini iis in locis, in quibus sive Concilium, sive etiam ejus decretum Sess<sup>o</sup> 24, c. 1, de Reform, forsàn fuit promulgatum, alio non concurrente canonico impedimento, quamvis illicita, habenda tamen esse uti valida. Quod cum ita sit, Sanctitas sua monitos

vult universos istius regni Archiepos et Epōs ut nibilominus curent retrahere Catholicos ab hujusmodi illicitis nuptiis. Dum itaque Amplm Vrañ de Pontificio hoc decreto certiores facimus, hortamur etiam ut illud quantocius omnibus Epīs suffraganeis suis pro eorum regimine ac norma communicet; de quo cum minime dubitamus, D. O. M. precamur ut eandem Amplm Vrañ sospitem diutissime servet.

“Amplñis Vřæ,

“Uti Frater studiosissimus,

“L. CARD. ANTONELLUS.

“Roma, 19 Martii, 1785.

“Copia vera transmissa a Ricardo, Coadjutore Armacano.

“Concordat cum exemplari in Archivis Danielis, Archiepi, Dublinien.

“THOMAS Dromorensis.”

It might be supposed, the great difficulty against the decree of Trent being thus removed, the impediment of clandestinity would be at once proclaimed throughout Leinster. There was no change, however, for nearly half a century. Dr. Troy, on being translated to Dublin, probably found the objections of the clergy and people there much stronger than he anticipated; and it was only on December 2, 1827, that “the decree of the Council of Trent annulling clandestine marriages was formally published in all the parishes of the province of Dublin.” (*Seenote*, p. 136, in *Statutes of Dublin*, 1831).

#### LAW OF CLANDESTINITY IN THE PROVINCE OF ARMAGH.

The history of the publication of the law in this province is involved in much obscurity. In the “*Consultatio Ecclesiastica*” of 1614 (see p. 128 of these *Collections*), clandestine marriages are strictly *prohibited*, but not annulled; and from the “*Appendix to the Consultation*” (No. 139), we learn that the bishops who promulgated the Council of Trent in 1587 ordered the decree of clandestinity to be enforced also; “but that it did not appear whether that order was carried out; nay, it was certain the law of Trent was never published nor received in many, or even most of the northern dioceses.” The sad causes that made it impossible for the Catholics to conform to the general discipline of the Church, on this and other important points, are eloquently described in the last chapter of the appendix to the “*Consultatio*.”

The second clause “*de matrimonio*,” Synod of Clonmacnoise, 1624, requires the publication of the law of clandestinity in each parish of that diocese (p. 149); and that it was published accordingly, soon after, is evident from the declaration of Father Daly, referred to in p. 116. The earliest provincial synod of the north which distinctly recognizes the impediment of clandestinity is the Synod of Armagh in 1687 (p. 157); but even there it is not recorded when precisely the law of Trent was received. Dr. Moran has inserted in the *Memoirs of Dr. Plunkett*, p. 133, acts of an earlier provincial synod, held in Ardpatrik in 1678, the 23d clause of which “declares marriages between Catholics for the future invalid without the presence of the parish priest, and at least two witnesses.” Now, as the assembled fathers must have known that the declaration of a provincial council would have no effect without a special publication of the law of Trent in each parish, they

took steps, it is to be presumed, to have it made as soon as possible in the form prescribed by the general council. We may thus fix the date of publication of the Tridentine law in the province of Armagh about 1680. With the exception of Meath, all the northern dioceses continued to observe the law ever since. The statutes of Armagh, compiled by Primate O'Reilly just a century after in 1783, refer to the law of clandestinity as binding from time immemorial in that diocese; so, too, the old statutes of Raphoe, drawn up in English, the date of which I have not yet ascertained, though, judging from the style and matter, I am satisfied they must have been made before the close of the last century. I have no other early diocesan statutes of the north, yet I am sure the usage of the primate's see was observed throughout the province generally. Meath alone, in which it is most likely the impediment of clandestinity was at one time admitted, since the bishop of the diocese subscribed the decrees of Ardpatrick, permitted it to fall into disuse; and hence the law of Trent was again solemnly published in each parish of that diocese on the 22nd December, 1827, the same day as in the dioceses of the province of Dublin and in Galway.

In connexion with this subject of mixed marriages, we will insert the answer given to the late Dr. Egan, Bishop of Kerry, on the mode of celebrating them:—

[QUESTION PUT BY DR. EGAN, BISHOP OF KERRY, ON THE MODE OF  
CELEBRATING MIXED MARRIAGES.]

“Dalla Propaganda,  
16 Novembre,  
1835.

“Come é noto a V. S. Ill<sup>ma</sup> e R<sup>ma</sup> nel Rescritto con cui si concede ai Vescovi la facoltà di dispensare nei matrimoni misti, si stabilisce che in tali casi il matrimonio si faccia ‘extra Ecclesiam absque ulla Ecclesiastica solemnitate et nuptiarum benedictione.’ Mg<sup>r</sup> Vescovo di Kerry in Irlanda nella sua Lettera scritta all’ E<sup>mo</sup> Rev<sup>mo</sup> Sig. Cardinale Prefetto de Propaganda in data 9 Ottobre, 1835, richiede si in tali casi il sacerdote debba anche astenersi dal pronunziare *Ego vos in matrimonium conjungo*. Desidera l’E<sup>mo</sup> suddetto che tale dubbio sia esaminato e definito in codesto sacro Tribunale. Il sottoscritto Segretario de Propaganda pertanto prega V. S. Ill<sup>ma</sup> e R<sup>ma</sup> a compiacersi di farne la proposizione; e profittando della opportunità con distinta stima e rispetto si rassegna.

“Dev<sup>mo</sup> Obg<sup>mo</sup> Servitore,  
“A. MAI.

“Monsig<sup>r</sup> Cattani Assessore  
del S. Offizio.”

ANSWER.

“Feria iii. hora iv. die 24 Novembris, 1835.

“In cong<sup>re</sup> Generali S. Romanæ Universalis Inquisitionis habita in conventu S. Mariæ supra Minervam coram E<sup>mn</sup>is et R<sup>em</sup>is D. D. Cardinalibus contra hereticam pravitatem Inquisitoribus Generalibus, proposito supradicto dubio, iidem E<sup>mn</sup>i et R<sup>em</sup>i D. D. dixerunt—Parochus assistens matrimonio mixtæ religionis se abstineat.

"Eadem die et Feria.

"SS<sup>us</sup> D. N. D. Gregorius divina provā P. P., XVI., in audientia R<sup>o</sup> P. D. assessori S. O. supradictam Dominorum R<sup>um</sup> solutionem approbavit.

"ANGELUS ARGENTI, S. Rom<sup>e</sup> et Univ<sup>o</sup> Inquis<sup>o</sup>,  
"Notarius."

PAGE 185.—(DR. MATTHEW.)

Annal. Wadd. Tom. XXIII., p. 389, an. 1600, n. CXL. Pro-  
motus est hoc anno ad Metropolitanam Ecclesiam Dublin. in Hiber-  
nia, die 5 Mai, Matthæus Ovetensis Hispanus.

PAGE 209.—(DR. TALBOT.)

A few of the dates are fixed more minutely by Dr. Moran, ac-  
cording to whom Dr. Talbot was appointed Archbishop of Dublin,  
January 21, 1669, and consecrated at Ghent, May 8 (O.S.), 1669.  
Life of Plunkett, pp. 20, 21, 30.

PAGE 203.—(DR. TALBOT.)

This *confidential* letter shows the early leaning to Catholicity in  
Charles's mind, and the influence Dr. Talbot possessed over him.  
(Taken from ST. C. MSS.).

Soli omnino.

"R<sup>o</sup>: admodum in Chro' P.N.

P. C.

"Ex mandato expresso Regis Britanniarum scribo ad P. V. quæ se-  
quuntur. Hiberni Catholici tam illi qui sunt in patria, quam qui foris magno  
numero exulant, instanter rogant majestatem suam (et quidem qui in Hi-  
bernia sunt per nuntium expressum, alii omnes per libellum supplicem) dig-  
netur significare sūmo Pontifici suum erga ipsos affectum voluntatemque  
favendi religioni Cath<sup>o</sup>; quo uti ipsi sperant fiet ut sua sanctitas animum  
quoq. adjiciat ad subveniendum extremæ religionis, ac gentis necessitati.  
In hunc finem edidere manifestum inclusum quod ad P. V. mittit serenis-  
simus Rex, ut sūmo Pontifici status fidei, ac Hibernorū omnium innotescat;  
qui quidem talis est, ut sine gravi religionis nota negligi non posse videat-  
tur. His precibus tandem ac rationibus Catholicorum motus Rex, voluit  
tentare animum sūmi Pontificis, per P. V. cui multum confidit; petit q. hoc  
velit præstare obsequium Deo, sibi, ac nationi Hiber<sup>o</sup> pro constantia in or-  
thodoxa fide tam crudeliter, ac barbaré afflictæ, ut dicat nomine suæ ma-  
jestatis sūmo Pontifici, se nihil negaturum in favorem religionis Cath<sup>o</sup> non  
solum in Hiber<sup>o</sup>, verum etiam in Anglia, et Scotia (quando Deus ipsum  
restituerit) quod a viris prudentibus peti possit, daturumq. exercitium  
publicum Romanæ fidei in tribus suis regnis, legesq. omnes contra Catho-  
licos editas sublaturum, si Sanctitas sua per se, et per alios velit tantum  
subministrare pecuniæ quantum sufficiet ad milites Hibernos in Angliam,  
Scotiam, vel Hiberniam cum ipso Rege transportandos. Hoc Sanctitati suæ  
promittit, cupitq. ut commissio Pontificia, ac potestas mittatur huc Coloniam  
ad nuntium Apostolicum cum quo tractabit; si quæ obtulerit non place-

bunt Sanctitati suæ, nihil petit, aut expectat; promissis, ac subscriptis stabit, cum sit e re sua fovere religionem illam, cujus professores expertus est subditorum fidissimos, atq. monarcho regimini ex principiis suæ fidei addictos. Cum verò ego objecissem majestati suæ Declarationem in Scotia factam contra Catholicos, maxime Hibernos, respondit illam non minus fuisse contra se ac Protestantes quam contra Catholicos, fuisse vim manifestam ei adhibitam, jam enim statuerant Scoti Presbyteriani personam suam Parlamento Anglicano tradere, si illam Declarationem ab ipsis factam non approbasset: quam primum vero atq. in ipsa Scotia paulo post rerum potitus fuit, illico publicasse primam illam Declarationem fuisse vi extortam quod verissimum est. Insuper non dubitat quin Summo Pontifici sit satis notum, fieri non posse ut Hibernis subveniatur alia via quam per majestatem suam. Cromwellus enim illos penitus extirpare decrevit. Si vero a Sanctitate sua, et Principibus Ecclesiasticis (suadente Pontifice) Rex non juvetur ut secum transferre possit Exercitum Catholicum Hibernorum, oportebit ut (renitente licet animo) Presbyterianos amplectatur, juratos fidei hostes. Eo enim devenit res, ut diu non possit regnare Cromwellus; vel ipsi olim Regi infestissimi, ipsum jam importune invitant, adeo sunt tributis oppressi, tamq. impatienter ferunt novi hominis insolentem tyrannidem: Majestas tamen sua non libenter ire vellet sine Exercitu Catholico, cui posset fidere et Presbyterianos in ordine continere, ne religioni ullum damnum possint inferre. Si vero summum Pontificem non tangat Hibernorum, ac religionis conditio, necessitate compulsus Presbyterianorum fidem tentabit, actumq. erit de fide in Regnis Britannicis. Miratur quoq. serenissimus Rex tantam fidem adhiberi Romæ cuidam Abbati Cisterciensi Hiberno nomine Crilly, homini scandeloso (sunt verba Regis) totiusq. Angliæ, ac aulæ fabulæ: dies consumit in tabernis, noctes vero plures suspicantur non minus honeste. Quidquid sit de veritate hujus rei, certe nemo Londini dubitat de illa, tam publica, et constans est fama; et tamen iste bonus Abbas per se, et suos amicos (quod maxime dolendum) jactat se degere Londini non sine notitia summi Pontificis, habereq. a secretario, vel Congregatione de Propaganda Fide summam potestatem in omnes trium regnorum missionarios. Nunquam extitit majus scandalum religionis in Anglia, confirmantur hæretici in opinione falso quam habent de Curia Romana ex moribus istius hominis, atq. auctoritate quam prætendit.

“Hæc sunt quæ jussus sum a Rege scribere ad P. V. nomine ipsius; per se noluit id præstare propter aliquas rationes: præcipua est, quia non est certus an Sua Sanctitas velit negotium hoc promovere, quod Deus avertat. De cætero sua majestas habet gratias P. V. pro singulari affectu a suis subditis ubiq. erga ipsam declarato iis quibus potuerunt officiis; quorum promittit se nunquam fore inmemorem, addetq. novum gratissimum P. V. si tali modo proponat istam rem Pontifici, ut de illa serio cogitet, ac remittat ad suum nuntium Coloniam, sic enim magis expedire videtur regi, secreto, et effectui negotiationis.

“Ego verò de Rege possum dicere non sine fundamento, ipsum esse optime affectum non solum ergo Catholicos, verum etiam religionem Catholicam; nec dubitant viri satis prudentes, et orthodoxi, quin sit futurus et ornamento, et utilitati Ecclesiæ Dei. Certo utilitatem brevi experiemur omnes, si in Angliam auxiliis summi Pontificis ac cleri, poterit trajicere cum exercitu Catholico Hibernorum, divertet enim Cromwellum, Hol-



landos aliosq. confederatos hereticos adeo ut non poterunt executioni mandare quæ machinantur contra Principes Catholicos: Germaniæ Suecorumque conatus erunt irriti, dissolveturq. liga illa heretica, toti Ecclesiæ tam formidabilis: nec ullum possunt Catholici invenire aptius instrumentum ad hæc omnia præstanda, quam Regem Britanniæ; qui periculo suo, ac subditorum nihil non tentabit pro pace firma stabilienda et conservanda; hæc enim e re sua est, sicut omnia turbare, ac confundere, est e re Cromwelli. Deus servet V. P. diu incolumem; nullus e consilio regis, aut mortalium præter regem scit me scripsisse de ista materia ad P. V. neq. ulli dicam; itaq. non est cur vereatur aliquid præjudicii, aut mali societati futurum. S. S. Sacrificiis P. V. me commendo.

P. V.

“Indignus Servus in Chro’.

“PETRUS TALBOTUS.

“Colonisæ, 17 Novemb., 1654.”

PAGE 225.—(DR. TALBOT.)

The following letter, taken also from ST. C. MSS., proves the high esteem in which Dr. Talbot held the Irish Jesuits:—

“R<sup>m</sup> in Christo Pater,—

“Cum Episcopi et Religiosi edicto Regio eijciantur ex Hibernia, et P. P. Hibern. Societat. Jesu nullum in hisce partibus habeant domicilium, obtuli meum obsequium P. Riccio Missionis Superiori, si ulla in re mea indignisset opera societas, quæ et de me, et de Ecclesia Catholica optimè merita. P. Superior misit Parisios P. Ignatium Brunum, qui huc appulit; verentur P. P. Galli ne sit illis oneri, sed immeritò; nam in Provincia hærerere non cupit, diutius quam inceptum negotium cum Regis Confessarij auxilio absolvat. Id negotium a P. Riccio fuerat commissum P. Bruno, quod mihi constat ex literis ejusdem P. Superioris. Res est religioni Catholicæ ac salutem animarum tam proficua, ut non dubitem quin V. P. R<sup>m</sup> actura sit gratias P. Ferrier Confessario pro patrocinio præstito, ac P. Bruno pro labore suscepto. Nam ut verum fatear, soli vestri ad missionem Hiberniæ videntur idonei. Alii regulares (quod expertus sum) plus nocent quam juvant. Rogo igitur enixe P. V. R<sup>mam</sup> ut auctoritate sua foveat florentem quondam missionem, nunc planè in extremis positam; commendetq. Societati in hisce provinciis, ut exules pro fide Socios ea qua par est charitate recipiant, protegant, conspirentque ad seminarij, quod meditamur erigere, foundationem. Commendo me S. S. P. V. R<sup>m</sup> Sacrificijs, precorque Deum, ut eam V<sup>a</sup> Societati ac mihi servet ad plures annos incolumem.

“R<sup>m</sup>, P. N.

“Humillimus in Chrō Servus,

“PETRUS DUBLIN, HIBERNIÆ PRIMAS.

“Parisijs, 29 Decemb., 1673.”

“Rex Angliæ et Dux Eboracensis commendarunt me Regi Christianissimo, et quidem literis manu propria scriptis, enixeque ab ipso petunt ut mihi beneficium (caractere meo dignum) provideat. Tradidi literas, meumque negotium P. Ferrier Regis Confessario commisi. Dignetur P. V. R<sup>m</sup> ad ipsum scribere ut particulari studio in hanc rem incumbat. Nam ex illius successu pendet spes seminarii pro fide conservanda in Hibernia.”

## PAGE 229.—(DR. RUSSELL.)

The most interesting relic connected with Dr. Russell is the large altar-stone, bearing his name, and consecrated by him, preserved in the parish church of Lusk. When the writer visited Lusk in August, 1860, for the purpose of collecting any local traditions regarding the Archbishop's family, he was assured by the respected P.P., the Very Rev. Canon Costigan, that this precious relic was always used by the priests of that district in the public celebration of the sacred mysteries.

The stone is of an unusually large size, with the following letters well engraved:—

“Ilłmus ac rmus Dms  
D. Patritius Russell,  
Archiepus Dublini,  
me consecravit  
Anno Dmi 1688.”

## PAGE 238.—(DR. CREAGH.)

Extract of a letter from Lord Chief Justice Davys to the Primate, then Lord Chancellor. From the Ormonde MSS., Kilkenny Castle.

“Cork, 25th Aug., 1682.

“MAY IT PLEASE YOUR GRACE,

“ . . . . . And now, heere at Cork, the titular bp. of Cork (a person by mee transmitted from Dublin hither, by order of my Lord Deputy and councell) did petition the courte, setting forth that the witnesses against him, tho desired, refused to appeare, and therefore prayed a summons for them; which granted, and this day being appointed for his tryal of him, and one of ye witnesses being summoned to give evidence against the titular bishop, then a prisoner at ye bar, hee did confidently declare that all what hee had sworne ag<sup>t</sup> the prisoner was false, and so denied every thing which was mentioned in his former examinations upon oath: but as the court was going to call upon another evidence, it happened that a great parte of ye floore of ye courte fell down, and with it a great number of people, many of whom are severely bruised, others wounded, and one or two killed, as we are informed. Y<sup>e</sup> confusion, as you may imagine, was very great, such as we not bent were forced to get out of wondering, & among them Mr. Baron Worth and I dropt down into ye peoples' arms, who stood ready to receive us, and I thank God we are now in our lodging very safe and very well. I have no more to add but humbly to beg your blessing.

“My Lord, your grace's most faithfull sert. and dutiful son,  
“WM. DAVYS.”

By a subsequent letter (from same to same) it appears the bishop was acquitted, the witnesses having retracted their former evidence, given August 29, 1682.

## APPENDIX B.

PAGE 250.—(DR. FITZGIBBON.)

“GREGORY XIII. TO THE DUKE OF ALBA.

“*Dilecto Filio Nobili viro Duci Albæ Gregorius P. P. XIII.*

“Delecte Fili Nobile, ter salutem &amp;c.,

“Charitas Jesu Christi, quæ nobis commendat Catholicos omnes, qui ubique terrarum sunt, quaque etiam Nobilitatem tuam affectam esse non dubitamus, facit ut tibi commendemus Catholicos eos, qui in Hibernia misere opprimuntur, de quibus accepimus tecum egisse venerabilem fratrem Episcopum Casseliensem, utque in iis Christum ipsum, qui sese in suis vexari, juvari que affirmat, pietati tuæ proponamus. Commendamus igitur eos tibi, quantum Christi causa flagitat, charitas cogit, tua pietas pollicetur.

“Datum Romæ apud Sanctam Mariam, sub annulo Piscatoris die XII. Aug., MDLXXII. Pontif. nostri anno secundo. Annales Ecclesiastici ab an. MDLII. continuati. Augustinus Theiner, Romæ, 1856. Tom. I., p. 188.”

In the Calendar of State Papers, Ireland, some entries ascribe strange deeds to the good Archbishop. Thus, Vol. XXVI., Calen., p. 394, 1568, November 12, Lancaster, of Armagh, writes to Cecil that “Morish Rioghe McGibbon, who came from the Pope, has taken the Archbishop of Cashel traitorously out of his own house, and carried him into Spain.” Vol. XVII., Cal., p. 442, 1571, March 28, Viscount Decies assures Lord Justice Fitzwilliam that Maurice Reagh, pretended Archbishop of Cashel, sent by James Fitzmaurice to the King of Spain, is coming with a vast army, French and Spanish, the first wind. See also Vol. XXXVI., p. 472 in Cal.

PAGE 255.—(DR. O'HURLEY.)

THEINER, VOL. III., P. 818.

“*All' Illmo. et Rmo. Monsignore Lo Cardinale Di Como Patrono Nostro Colmo.*

“Parigi, 4 Giugno, 1584.

“Ilmo et Rmo proñe Colmo,

“Domani che sarà alli 5 del presente ci mettiamo in camino per Iscotia. Hieri capitorno qui due giovani Irlandesi, quel che ci riferiscono del paese in generale non è altro che persecutione de Catolici. In particolare dicono che l' Arcivescovo Cassellense, il quale è stato prigionie già sette mesi, fu dal viserè posto a tortura per farlo confessare cose de congiuri, delle quali presupponeva lui esser stato consapevole, o vero rinegare la fede. La tortura fu tale, gli fece metter in piedi con un paro di stivali nuovi con buturo et sale dentro, poi il fece ligare tenendolo vicino al fuoco insino a tanto che dal cuojo, il che gli si strinse intorno alli piedi, et dal cuocente liguore gli furono tutti scorticati. Ma con tutto questo non guadagnò più che

tanto, che l' Arcivescovo non si ridusse mai nè o confessare gli uni nè, a negare l'altra. Anzi gli rispondeva che quanto a' presupposti congiuri non ne sapeva nulla, et quanto alla fede bisognava vincerlo con ragione et soldi argomenti, che per paura de morte o tormenti non farebbe niente. Il vescovo di Fernes il quale si dice havere vacillato, et per questo esser stato in qualche riputatione apresso gli heretici, pentendosi del commesso fallo venne alla presenza del visere, et ivi apertamente confessò la fede Cattolica incolpando se stesso della passata prevaricatione. Il cavaglier Giovanni Paratt (Perrot?) si manda in Irlanda visere: il quale secondo che li detti giovani raccontano ha fatto tre dimande a la Regina: 1. Che durante il tempo di suo governo gli sia lecito per legge d' armi far morire senza ordine di giustitia o processo ordinario ogniuno di quel paese che si troverà Catolico; 2. che possa di sua propria autorità et immediatamente mutare Magistrati et ministri de leggi; 3. che possa tassare i vassalli come gli pare in discrezione a sua posta. Vostra Signoria Ill<sup>ma</sup> consideri a che termini quel povero regno si è redotto. Iddio per sua infinita bontà provveda a questi mali. Havemo inteso dall' Imbasciatore del Re de Scotia, che sua Majestà ha scacciato li ribelli che gli presero la terra di Sterlin (la quale ha recuperata) et di quelli ha amazzato in un fatto d'arme, al quale si trovò in persona, fino a 500. Ha giustitiato il Conte di Gourei, quale era il maggiore amico che haveva la Regina d' Inghilterra in quel regno: gli altri della fattione sua si sono fuggiti chi in Inghilterra, chi a Rochell in Franza, &c., di modo che (fussimo arrivati salvi) speriamo di poter star li con manco pericolo che non pensammo prima; excetto se non fussimo adoptrati in attione per servigii del Re, la qual cosa sopra tutto desideriamo, avengane poi quel Iddio vuole. Occorendo buona occasione, la quale sarebbe quando la Regina d' Ingliterra fosse un poco travagliata da qualche guerra esterna, allora Nicolao Eustacchio sarebbe da esser spedito per Irlanda vescovo Midense con l'autorità del Primate (in absentia Primatis) ma temiamo che le cose non sono anchora venute a quella maturità; vostra Signoria Ill<sup>ma</sup> n' habbia memoria a suo tempo. Dell' Arcivescovato Dublinense si sente qui qualche bisbiglio che sia per quel Frate Bazzono', ma vostra Signoria Illustrissima sia servita di non lasciar quella, la quale è la prima dignità di nostro regno, cascar in mano di forestieri, quando non mancano de' nostri persone che ne sono degne, si come particolarmente ci è Leonardo Fitzsymon, il quale oltre alla dottrina et virtù sua è figliuolo del primo cavaglier di quella città. Hora non occorrendoci altro ci raccomandiamo humillissimamente a vostra Signoria Ill<sup>ma</sup> supplicandola che verso de noi et nostro paese continui sempre suo solito favore et gratia, et Iddia benedetto la conservi nella sua.

“Di v<sup>ra</sup> Signoria Ill<sup>ma</sup> et R<sup>ma</sup> devotissimi Servi,

“GUGLIELMO NUGENT.

“BARNABA GEORHAGAN.

“De Parigi alli 4, di Giugno, 1584.”

PAGE 256.

In the “Life of Thurlough O'Neill,” the supposed Archbishop of Cashel, I stated that the conduct of the “*Archbishop*,” spoken of by Perrott's biographer, was unworthy of a “Catholic prelate.” I

3 E

am now convinced that the "Papist Buyshop," who betrayed the northern chieftains, was no other than the unfortunate Miler Magrath, then Bishop of Down and Connor, translated by the Crown to Cashel after his apostasy; and I believe the true origin of the fiction, giving "Thurlough O'Neill" a place among the Archbishops of Cashel, to be as follows:—It was thought necessary, though the story rested entirely on the authority of that one passage in Perrott's Life, to find in his times an Archbishop of Cashel a "Papist" and a traitor to the Catholic cause. This apostate could not be surely Fitzgibbon, nor O'Hurley, nor O'Kearney; for the dates of accession, besides their known fidelity, excluded them. Some other bishop sat, then, in the interval between the two last; and as a "Thurlough," a name intimately mixed up with the disclosures to Perrot, succeeded O'Hurley (in *Emly*, not in Cashel, see p, 282), to make Thurlough O'Neill successor of O'Hurley in Cashel solved every difficulty. But we must remember that Perrott's own despatch refers only to a "Popish bishop;" and that it is his biographer, writing long after, who speaks of an *Archbishop of Cashel*. Now, at the time of the interview between John O'Neill and Thurlough Liunneach in 1536, Miler Magrath, a traitor and apostate, was Bishop of Down, and communicated to the deputy the correspondence of the O'Neills. This Miler is called, by the writer of Perrott's Life, not by Perrot himself, "*Archbishop*" of Cashel, because he was raised to that dignity afterwards. Miler was thus the "Popish bishop" who betrayed the O'Neills, and the "Archbishop of Cashel" who is mentioned by Perrott's biographer.

## PAGE 281.

William Burgatt was a Ludovisian student, Roman agent for many years of the Irish bishops, appointed Archbishop of Cashel, January 21, 1669; succeeded by Dr. Brennan, March, 1677, a Ludovisian student also, and agent of the Irish bishops, named Bishop of Waterford, in 1671. Dr. Brennan was one of the five youths who went to Rome under charge of F. Scarampo, in the summer of 1645, the most distinguished of his companions being Oliver Plunkett. The author of the "Memoirs of Dr. Plunkett," from whom we have taken these dates, does not state, that we could see, when *precisely* either Dr. Burgatt or Dr. Brennan died.

## APPENDIX C.

PAGE 289.

SYNOD OF CASHEL, 1685.

“In nomine Ss<sup>mm</sup> Trinitatis Patris et Filii, &c., Amen.

“Incipiunt Statuta Synodalia Synodi Provincialis, indictæ ab Ill<sup>mo</sup> D<sup>no</sup> Joanne Brenane, Dei et Apostolicæ sedis gratia Archiepiscopo Casseliensi, ac totius Momoniæ Metropolitano ac Primate, die sexto Octobris, Anno Domini millesimo sexcentesimo octogesimo-quinto, assistantibus sibi Ill<sup>mo</sup> D<sup>no</sup> Petro Creagh, Episcopo Corcagiensi, ac venerabilibus Dominis Vicariis-generalibus suffraganeis D<sup>no</sup> Joanne Saul, Vicario-generalis Casseliensi, D<sup>no</sup> Thoma Kennedy ac Jacobo M’Inneiry, Vicariis-generalibus Laonensibus, D<sup>no</sup> Thadeo O’Hea, Vicario-generalis Imolacensi, D<sup>no</sup> Joanne Connelly, Vicario-generalis Rossensi, D<sup>no</sup> Joanne Strichio, Vicario-generalis Lymricensi ac Procuratore Capituli Lymricensis, D<sup>no</sup> Cornelio Daly, Vicario-generalis Aghadonensi, D<sup>no</sup> Jacobo Elligot, Procuratore Capituli Cloynensis, cum duobus abbatibus ordinis Cisterciensis, aliisque Theologis diversarum Diocesum, doctrina et pietate conspicuis et a concilio admissis qui omnes inchoaverunt hanc synodum die sexto Octobris in urbe Casseliensi et continuaverunt tribus diebus, sexto, septimo, et octavo, invocato, de more, cœlesti auxilio, et cantata solemniter Missa de Spiritu Sancto. Ill<sup>mus</sup> Casseliensis concionem ad Clerum habuit.

“Inhærendo majorum ac prædecessorum nostrorum vestigiis in duobus conciliis nationalibus hujus regni habitis Waterfordiæ, mense Decembri, Anno 1643, ac Kilkenniæ, mense Novembri, 1644, nec non in aliis conciliis Provincialibus et Synodalibus hujus Provinciæ renovamus et ratificamus acceptationem Concilii Tridentini, exceptis decreto de invaliditate Matrimonii clandestini, aliisque incompatilibus cum præsentis rerum ac temporum statu in Ecclesiastica administratione.

“2. Cum omnino indignum sit sacrosanctum Missæ sacrificium celebrari in loco sordido, indecenti, aut sub dio, statuimus ut Ordinarii locorum sedulo procurent ædificari aut resarciri Capellas publicas ubi dirutæ sint; quod si parochiani pro sua in Deum pietate ac propria commoditate hoc opus charitatis ac religionis neglexerint, careant sacrificio quamdiu Ordinario visum fuerit.

“3. Nullus sacerdos bis celebret sacra eodem die festo, nisi plures habeat parochias quarum parochiani omnes non possunt commode ad unum sacrum convenire.

“4. Nullus sacerdos Missas quas in confessione injunxit celebret nisi id fiat gratis.

“5. Hortamur in D<sup>no</sup> sacerdotes omnes, ut tam in domibus propriis quam alienis in quibus eos pernoctare contigerit, recitent pro familia litanias B. Virginis et alias preces ad libitum ante tempus somni, aspergantque aqua benedicta si in tali domo fuerit, hortenturque omnes de familia ut orationes ad Deum fundant mane et vespere.

“6. Hortamur in D<sup>no</sup> omnes sacerdotes in visceribus Xti, ut sacrosanc-

tum Missæ sacrificium peragant ea qua par est reverentia ac decentia, et ut omnia quibus in altaris ministerio utuntur, sint munda et integra, et ut panis et vinum renoventur quoties opus fuerit.

“7. Cum in omnibus maxime vero in sacramentorum administratione sacerdotibus conveniat ab avaritiæ nota immunibus esse, decernimus, ut nullus sacerdos ante administrationem quidquam exigit; post tamen vel quod sponte datur vel quod laudabili et probata consuetudine tanquam debitum præstari solet, vel ut vitæ stipendium et merces laborum, recipiatur, imo sedulo petatur, *dignus enim est operarius mercede sua*; declarent quoque crebro pastores gregibus suis eos jure divino teneri sustentare suos parochos, eorumque indigentia subvenire.

“8. Doceant sacerdotes curam animarum habentes populos sibi commissos modum sacramentaliter confitendi, nec quenquam ad sacramentalem absolutionem admittant nisi prius calluerit orationem Dominicam, symbolum Apostolorum, præcepta decalogi, et Ecclesiæ, numerum sacramentorum et septem peccata capitalia.

“9. Declaramus parochianos sub gravi peccato communionem Paschalem debere sumere a proprio parcho vel ab alio sacerdote de ejus vel Ordinarii licentia; et contra facientes non satisfacere præcepto annuæ communionis. Statuimus insuper ut parochi hoc denuntient suis respective gregibus singulis annis ante vel sub initium quadragesimæ.

“10. Qui matrimonia sine dispensatione contrahunt scienter in gradibus prohibitis arceantur a Missa et sacris.

“11. Cum sæpe contingat matrimonium contrahi invalide eo quod a multis saltem rudioribus ignorentur impedimenta matrimonium dirimentia, et quandoque contrahi illicite propter obstacula pure impediencia, hortamur in D<sup>no</sup> omnes parochos ad hæc mala evitanda, ut diligenter addiscant hæc impedimenta, et populo declarent ea saltem quæ communiter occurrunt.

“12. Si aliquis sacerdos sive sæcularis sive regularis alterius parochiæ sponso sine proprii parochi vel Ordinarii licentia matrimonio conjungere vel benedicere ausus fuerit, eo ipso suspensus manet, donec ab Ordinario illius parochi qui matrimonio assistere debet absolvatur.

“13. Cum sicut accepimus nonnulli cum impedimento cupientes matrimonium contrahere eum in finem accedant ad religiosos aut alios vel intra vel extra diœcesim pro impetranda dispensatione, et pro contrahendo matrimonio, statuimus ergo tales frivolas dispensationes non esse admittendas, nec talia matrimonia valida esse. Similiter cum aliquæ mulieres post partum accedant ad alios extra propriam parochiam ut purificentur, habeantur pro non purificatis.

“14. Enixe hortamur in Domino omnes parochos ut solcite moneant sponsas ne matrimonium consummare velint, etiamsi per verba de præsentis contraxerint, nisi prius celebrata missa et impensa benedictione nuptiali quando impendi debeat.

“15. Monemus etiam conjuges ut antequam contrahunt vel triduo ante matrimonii consummationem sua peccata diligenter confiteantur, ut ad Sanctissimum Eucharistiæ sacramentum pie accedant.

“16. Habeant sacerdotes curam animarum habentes librum in quo nomina Baptizatorum et cognomina describantur, nec non patris et matris ac patrinatorum; item habeant librum in quo describantur nomina contra-

hentium, contrahentiumque patris et matris, ac defunctorum item dies et annus.

"17. Nullus sacerdos extra periculum mortis infantis præsumat eum baptizare sine exorcismis aliisque cæremoniis Ecclesiæ.

"18. Nullus sacerdos fidem jubeat pro aliis, præsertim laicis in causa solutionis aut æris alieni inconsulto Ordinario.

"19. Invigilent sollicite Ordinarii alique pastores ne invehantur publice aut privatim opiniones novæ in materia fidei aut morum, nec aliæ amplectendæ sint quam approbatæ a sede Apostolica aut usitatæ per universam Ecclesiam Catholicam.

"20. Sciant porro sacerdotes se non debere benedictionem impendere laicis præsentè Episcopo saltem extra tempus sacrificii, sed hoc ei relinquendum ob dignitatem Cathedræ.

"21. Statuimus ut quicumque sacerdos cujuscunque dignitatis, si fuerit inobediens et contumax suo superiori, privetur per tres menses suo officio et beneficio; si per tres menses non resipuerit, sit ipso facto incapax beneficii in hac provincia.

"22. Sacerdos quicumque qui provocaverit suum superiorem aut alium sacerdotem ad judicia extranea, eo ipso censeatur privatus ab officio et beneficio.

"23. Statuimus justis de causis ut vicarii-generales qui sunt Ordinarii locorum non concedant litteras dimissoriales intra hoc regnum ordinandis ad triennium proxime futurum nisi aliter visum fuerit Episcopo in sua, vel suis Diocesium, non habentibus Episcopum intra provinciam.

"24. Confirmamus in hoc concilio provinciali antiquam et tot centenis annis receptam consuetudinem solvendi metropolitano mercatam Episcopis seu ordinariis locorum, a suis respective subditis moribundis ultra annum censum tritum.

"25. Statuimus ut Metropolitanus possit et valeat visitare omnes Dioceses sibi suffraganeas in quibus actu non residet proprius Episcopus, vel tempore visitationis Metropolitanus actu non residebit, vel saltem non sit in hoc regno existens.

"26. Statuimus ut omnes insignes reliquiæ quæ non fuerint a veris earum possessoribus creditæ alicujus fidei aut custodiæ, vel si sic fuerint creditæ, illum in cujus custodia fuerint contigerit mori, ad loci, in quo repertæ fuerint, Ordinarium deferantur ad custodiendum donec proprio possessori suo tempore restituantur.

"27. Statuimus denique ut omnes Prælati, vicarii-generales, decani, parochi, ac plebani, seu quocunque alio nomine vocari debeant ecclesiasticæ personæ sæculares Inventarium conficiant sacrarum vestium, ornamentorum, ac suppellectilium cujuscunque generis illa sint ad suas respective Ecclesias pertinentium, idque coram duobus vel tribus testibus attestatum faciant.

"Ultimo Decretum fuit ut nulli in hoc concilio prejudicium foret ratione sessionis ac præcedentiæ, sed salvum sit cuique jus suum quoad omnia. Finis.

"J. WHITE, M. S."



PAGE 299.

"LETTER OF DR. E. COMERFORD.

*"Innocentio XII. Summo Pontifici.*

". . . . 12 Augusti, 1698.

"BEATISSIME PATER,

"Deum testem capio interioris meæ voluntatis quam sæpe adspiraverim vestræ Sanctitati litteras exarare: adspirabam, SS. Pater, sed rima per quam erumperet propter temporum necessitatem non fuit aperta; periculum enim erat in itinere, periculum in mari, periculum in falsis fratribus, periculum ubique. Verum impræsentiarum pax est inter Europæ principes, non tamen nobis. Domine, non nobis pax hic est, quoniam per actum seu decretum iniqui nostri Parlamenti ratum et confirmatum rege Gulielmo omnes hujus regni Archipræsules, Præsules, vicarii-generales, dignitarii, religiosi, Monachi et Eremitæ in exilium perpetuum in terras externas et longinquas sub capitis pœna mittendi erant ante primum diem Maii elapsi, crimenque læsæ majestatis est ulli clerico cujuscunque gradus sacerdotalis aut religiosi in hoc regnum intrare aut redire: unde magnus hic cleri populi que nostri gemitus, ploratus et ululatus, actumque est de religione nostra nisi Deus nobis quam citissime subveniret: hæc est nostra in præsentī tempore conditio.

"Manserunt nihilominus nonnulli e fratribus nostris in cryptis et cisternis, in montibus, speluncis, et cavernis terræ. Ego vero sustentor pane tribulationis et aqua angustię, nec tamen, laus Deo, dimisi aut dimitto officium meum, illoque fungor fungar que dum vixero: non debeo nec possum SS. Pater, esse immemor supremi Sanctitatis vestræ beneficii mihi concessi, quippe qui non meis meritis, nec ad instantiam regis clerique nostri postulationem, sed dignatione paternæ dilectionis in filios suos me Archiepiscopum Casselensem confirmare dignati fueritis; propter quod vestræ Sanctitati cum ea qua par est reverentia, humilitate et obedientia gratias ago immortales, agamque dum vixero; et quamvis me sentirem humeros habere imbecilles ad tantum onus perferendum, quantum est dictæ ecclesiæ sarcina: tamen ne voluntati Sanctitatis vestræ reluctare videar, colla subjeci jugo Apostolicæ servitutis, firmiter sperans in eo qui infirma mundi elegit confusus ut fortia, ut infirmitati meæ gratiæ suæ robur inspiraret.

"Quapropter me tandem post varios casus per Ioannem Corcagien<sup>m</sup>. consecratum fuisse, palliumque ab eodem accepisse, Richardo Waterford<sup>i</sup> assistente, præsentibus quibusdam dignitariis, Beatitudini vestræ intimare non dubitavi. Ab illo tempore, SS. Pater, quo vocatus fui in partem sollicitudinis pontificalis officii, circuivi meam provinciam, et inveni quod timebam grande malum ecclesiæ nostræ, scilicet, omnes fere dignitates nostras, omnia bona capitulorum nostrorum injuria temporum ita oblivione quasi sepulta, utpote a longo temporum intervallo mixta inter bona laicorum, ut pene vix aut ne vix quidem sit vestigium illorum; patientes chartas illorum bonorum hæreticorum malitia esse perditas; seniores quoque qui aliquam illorum notitiam habuere esse invitos; et tandem post longam discussionem reperi illud grande ecclesiæ nostræ malum ortum fuisse ex defectu dignitariorum qui satagerent rerum ecclesiasticarum; in nonnullis ecclesiis est unus tantum dignitarius, in aliis duo, in

aliis nullus, in mea ecclesia sunt tantum tres. Notum facio Beatitudini v<sup>ra</sup>. a sexaginta annis et amplius ne unum quidem ex dignitariis nostris accepisse valorem unius drachmæ emolumenti temporalis ex ulla hic dignitate, excepto unico anno tempore regis Jacobi II., quod non parum conducit ad dignitates illas earumque bona oblivioni tradendum. Quapropter, SS. Pater, ut secundum præsentēs quas habemus vires, Ecclesiarum nostrarum capitula pristino suo sancto restituantur ordini, humiliter et enixe precor, ut dignetur vestra Sanctitas mihi concedere licentiam nominandi seu constituendi dignitarios pro hac vice in omnibus dignitatibus vacantibus meæ provinciæ, in quibus saltem non est Ordinarius; quo facto, capitula omnia nostra erunt completa ad majorem Dei gloriam, Ecclesiæ utilitatem, pacem et tranquillitatem ecclesiarum, et sciemus saltem quæ sunt nostra, in quorum manibus sunt, et quo jure. Ego interim et semper, Beatissime Pater, vestram demiram glorians, earumque splendorem virtutum quas pontificalis dignitas in vobis non peperit sed invenit, divinam profusis votis implorabo clementiam, ab eaque prolixam Sanctitatis Vestræ publico Ecclesiæ bono sospitatem deprecam, eadem semper animi propensione, reverentia, et veneratione qua sum,

“Beatissime Pater,

“Obsequentissimus ac devotissimus V<sup>ra</sup> Sanctitatis filius ac servus,

“EDWARDUS COMERFORD,

“Archiep<sup>us</sup> Cassellensis.

“Datum die 12 Augusti, 1698.”

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#### STATUTES OF CASHEL, 1737.

##### *Ad Majorem Dei Gloriam.*

“Non ut confundam vos hæc scribo, sed ut filios meos charissimos moneo.”—  
1 Cor., iv. 14.

“Cum uniuscujusque Pastoris munus sit subditorum suorum vitia redarguere, hoc præcipue cavendum erit, ne clerici ad animarum salutem constituti criminosi sint: qua enim libertate laicos corripere possunt sacerdotes cum tacite sibi respondeant eadem se admisisse quæ corripiunt. Quapropter moneo vos, Fratres Charissimi, ut conversatione, sermone, et scientia populo vobis commisso præeatis, memores ejus quod scriptum est Levitis. ‘Sancti estote, quia Ego sanctus sum,’ et juxta Apli vocem, ‘Nemini dantes ullam offensionem, &c., sed in omnibus exhibete vos sicut Dei ministros,’ ne illud Prophetæ dictum impleatur in vobis, ‘Sacerdotes Dei contaminant sancta et reprobant legem.’ Hæc autem ut honeste et secundum ordinem fiant in vobis, aliquas constitutiones vobis exhibemus observandas, non solum utiles, verum etiam pro majori officii Ecclesiastici splendore maxime necessarias.

#### “AD USUM CLERI DIOECESIIUM CASSELLIENSIS ET IMLICENSIS CONSTITUTIONES ECCLESIASTICÆ.

“1°. Omnes Pastores dictarum Diœcesium materiam et formam Sacramentorum eorumque virtutem coram populo explicant diebus saltem

Dominicis et festivis solemnioribus, suaque peccata deponant per sacramentalem poenitentiam apud Confessarium a nobis approbatum et notum.

"2. Cum sit de officio Pastoris salutem animarum sibi subditarum indesinenter procurare, caveant omnes dictarum Diocesium Parochi ne aliquis eorum culpa vel incuria sine sacramentis moriatur; quapropter si extra propriam Parochiam sint profecturi, alium ab ordinario approbatum substituere tenentur; moram vero protrahendi ultra duas Hebdomadas admoneant Ordinarium, ejusque licentiam priusquam proficiscantur obtineant.

"3. Cum Sacramenta omnium gratiarum instrumenta sint, populo fidei semper administrentur cum debitis cæremoniis nisi instante mortis periculo eorum quibus administrantur; periculo vero cessante, cæremoniæ omissæ debito modo perficiantur.

#### "DE BAPTISMO.

"Ministretur Baptismus cum trina ablutione aquæ naturalis in capite, vel in alia parte principali facta; si vero instat periculum simul cum ablutione pronuntiari consueta forma. Omnes, præcipue obstetrices, doceantur, q<sup>o</sup> m<sup>o</sup> possint ritè baptizare. Cæremoniæ omnes hujus sacramenti pro opportunitate loci et temporis explicantur adstantibus. Nullus laicus baptizet, nisi urgente necessitate; nemo rebaptizetur nisi sub conditione, 'Si non es, &c.'

#### "DE SACRAMENTO PENITENTIÆ.

"1. Omnes utriusque sexus fideles postquam ad annos discretionis pervenerint, omnia sua peccata confiteantur fideliter saltem semel in anno proprio suo sacerdoti; nemo vero ad sacramentalem confessionem admittatur, si non calluerit Decalogi præcepta et Ecclesiæ; imo Pater, Ave, et Credo, numerum Sacramentorum, et reatum peccatorum mortalium.

"2. Si quis tempore Paschali alieno sacerdoti justa de causa voluerit confiteri licentiam prius a proprio obtineat, et tunc ad suam Ecclesiam redibit communicaturus: et si quis suadente Diabolo ex pertinacia aut aliqua alia prava animi sui dispositione aliter fecerit, vivens ab ingressu ecclesiæ arceatur, et moriens Chistiana careat sepultura. Nullus absolvatur in occasione proximi peccati, nisi prius amoveatur occasio.

"3. In posterum nullus ex Parochis hujus Diocesis spe propriæ laudis aut avaritiæ ductus terminos antiquos quos Patres nostri posuere transgredi præsumat. Itaque sciat se non debere administrare ulla sacramenta subditis alterius, nisi ab eo advocetur, aut aliter necessitas proximi urgeat, vel autoritas Ordinarii.

"4. Sub pœna suspensionis ipso facto non recurrant Sacerdotes dictarum Diocesium ad laicos pro impetrandis Beneficiis sed ad Ordinarium duntaxat, qui solus debet de iis disponere secundum singulorum merita et qualitates. Cum præcepto Domini mandatum sit omnibus quibus cura animarum concessa est oves suas agnoscere, et pro his sacrificium offerre, caveant omnes dictarum Diocesium Pastores ne in posterum, extra fines suarum parochiarum spe lucri diebus Dominicis aut festivis proficiscantur.

"Quam turpe ac clericorum nomine qui se Domini cultui addixerunt sit

indignum in impudiciæ sordibus immundoque concubinato versari, satis res ipsa communi fidelium omnium offensione summoque clericalis militiæ dedecore testatur, ut igitur ad eam quam decet continentiam ac vitæ integritatem ministri hujus Ecclesiæ revocentur, populusque eos magis discat revereri, per præsentis stricte prohibentur ne ullas mulieres de quibus possit haberi suspicio in domo vel extra detinere, aut cum iis ullam consuetudinem habere, audeant, alioquin pœnis a sacris canonibus vel statutis Ecclesiarum impositis puniantur.

“ Quoniam natura et ratio iudicii id exposcit ut sententia in subditos duntaxat feratur S. S. P. P. nostris visum est ut atrociora et graviora crimina non a quibusvis, sed a summis tantum sacerdotibus absolvantur. Veruntamen ne hac ipsa occasione aliquis pereat, in Ecclesia Dei semper fuit custoditum, ut nulla sit reservatio in articulo mortis, atque ideo omnes sacerdotes quoslibet pœnitentes ab omnibus peccatis et censuris absolvere posse, extra quem articulum id unum pœnitentibus persuadere nitantur harum Diœcesium pastores, ut ad superiorem pro beneficio absolutionis in casibus reservatis accedant qui casus sunt sequentes:—

[17. Casus iidem hic recensentur qui communiter reservari solent præter sequentes.]

“ 5. Adulteratio ponderum et mensurarum.

“ 10. Falsum testimonium in præjudicium tertii.

“ 15. Injusta detentio ornamentorum ecclesiasticorum.

“ 16. Furtum.

“ 17. Omne sacrilegium.

“ Colloquiis nostris ecclesiasticis adesse curent omnes qui in dictis Diœcesibus curam animarum gerunt quicumque illi sint, quod si in his negligentes fuerint pœnas ad arbitrium Ordinarii sancitas incurrant.

“ Curent diligenter harum Diœcesium Pastores diebus saltem Dominicis et festivis solemnibus populum sibi commissum pro sua et eorum capacitate pascere et docere ea quæ scire omnibus necessarium est ad salutem, et annunciare iis cum brevitate et facilitate sermonis vitia quæ eos declinare, et virtutes quas sectari oporteat, ut pœnam eternam evadere et cœlestem gloriam consequi valeant: si quis autem hoc adimplere contempserit districte subiaceat ultioni: hoc a quocunque mereri Deus avertat.

In posterum antequam matrimonium contrahatur a proprio parochio tribus continuis diebus festivis inter missarum solemnias publice denuncientur inter quos matrimonium sit contrahendum: nunquam celebretur tempore quadragesimæ vel adventus etiam privatim sine licentia Ordinarii.

“ Quamvis excommunicationis gladius necessarius sit Ecclesiasticæ disciplinæ, et ad circumspectionem in officio populos valde salutaris, sobrie tamen magnæque cum circumspectione exercendus est, q<sup>a</sup> propter a nemine prorsus præterquam ab Episcopo vel ejus vicario-generalis decernantur causæ hujus ictus. Has pro cleri nostri regimine et sancta conversatione constitutiones approbamus, confirmamus, et executioni mandari Deo auspice vehementer optamus, et sub pœnis a jure et homine incurrendis observari stricte et ad amissim ab omnibus parochis et sacerdotibus nostris præcipimus et mandamus.

“ CHRISTOPHERUS, Cass. ARCHIEP.

“ ET ADM. IMLICENSIS.

“ Dat: Die 7 Ap:

“ A. D. 1737.”

3 F

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## NUNCIO'S INSTRUCTIONS AND LETTER, 1751.

The following *instructions*, with a few changes, but without the *letter*, may be seen in the printed statutes of Dublin, 1770, p. 134:—

“Anno 1751, A.—*Decreta Congregationum Particularium de Propaganda Fide super rebus Missionum Hiberniæ.*

“Cum plures parochiæ reperiantur quarum districtus ad plura milliaria extendantur, adeo ut unus duntaxat parochus spiritualibus ovium suarum necessitatibus pro opportunitate subveniendis prospicere nequeat, serio propterea moneantur Episcopi eorumque excitetur zelus, ut nullis prætermisissis possibilibus mediis, novas in amplis hujusmodi territorii curent erigi parochias; secus autem præfatis pastoribus coadjutores idoneos e clero sæculari constituent, quorum deinde, quatenus laudabile opus præstiterint, rationem habeant, cum eadem vel aliæ parochiæ vacaverint; et quotiescunque desint presbyteri sæculares ad ejusmodi munus satis idonei, substituant ipsorum loco ad interim et per modum provisionis regulares qui tamen argumenta probatæ pietatis et zeli in animarum salute curanda præbuerint.

“Archiepiscopi vehementer hortentur episcopos suffraganeos suos ut resident in suis diœcesibus quemadmodum indicitur a sacris canonibus et litteris Apostolicis SS. Domini Benedicti XIV. quæ die 15 Augusti, 1745, ad Archiepiscopos et Episcopos Hiberniæ datæ fuerunt. Porro ipsi Metropolitani hanc sacram congregationem certiore faciant si aliquis Episcopus præscripto residendi muneri minime satisfecerit ut ea remedia adhibeantur quæ a sacris conciliis decernuntur.

“Archiepiscopi et Episcopi singulis bienniis scripto referant Nuncio Bruxellensi statum religionis Catholicæ necnon Ecclesiasticæ disciplinæ suarum diœcesium, quæ deinde omnia per eundem nuncium sacræ congregationi significantur.

“Non licet episcopis a Parochis quos ipsi instituunt fructus aut proventus primi anni qui ab eadem parochia colliguntur exigere.

“Quotiescunque in matrimoniis celebrandis Episcopi expedire judicaverint ut denunciationes remittantur, nihil quacunque de causa accipiant.

“Episcopi deputent examinatores ad illos probandos qui fidelium confessionem excipere petunt; liceat tamen episcopis absque examine illos approbare quos maxime idoneos ipsi judicaverint.

“Graviter moneantur sacerdotes ne facultate celebrandi bis in die abutantur ut stipendium largius et pinguius habeant: quamobrem Episcopi qui potestatem communicandi hanc facultatem seu dispensationem a sede Apostolica obtinuerunt, meminerint ipsorum conscientiæ injunctum esse ut paucis duntaxat sacerdotibus, iisque maturioris prudentiæ ac zeli et qui absolute necessarii sunt, nec pro quolibet loco, sed ubi gravis necessitas tulerit, et ad breve tempus communicent.

“Caveant in posterum confessarii pro salutari pœnitentiâ fidelibus sua peccata confitentibus indicare, ut certam pecuniam depromant ad missas celebrandas, deinde ipsimet satisfaciant.

“Confessarii iidem dum sedent in tribunali pœnitentiæ nullas eleemo-

synas a pœnitentibus accipiant, cum enim sint debitores sapientibus et insipientibus omnem scandali occasionem omnemque suspicionem præcidere debent.

“In librorum aliarumve scripturarum impressione servetur regula X<sup>a</sup> Indicis, necnon instructio Clementis Papæ VIII. autoritate edita.

“Sedulam curam impendant Episcopi ne ab ullo contemnantur vel improbentur libri ad pietatem promovendam compositi, quos legitima Episcoporum vel Inquisitorum autoritas in lucem edendos permisit nec a sede Apostolica proscripti fuerunt.

“Insuper curent omni studio Episcopi ut parochi diligenter, accurateque Catechismum pueros edocent: quos autem desides in hoc præcipuo munere deprehenderint canonicis pœnis prosequantur.

“Episcopi hortentur ac moneant regulares ut charitatis officio sedulo fungantur præsertim in pagis aliisque campestribus locis quæ percurrant et in quibus eleemosynam colligunt. Præterea id etiam præcipitur sanctionialibus erga puellas ad eas confluentes quas honestis moribus et Christiana doctrina probe instituere satagant, illisque artibus imbueretur quæ ad illam ætatem et conditionem muliebrem pertinent.

“Supradicta decreta sacræ Congregationis de Propaganda expressa sub litera A. transmittuntur ad Ill<sup>l<sup>um</sup></sup> Archiepiscopum Dublinensem ab eodem communicanda etiam Ill<sup>l<sup>is</sup></sup> Armacano, Casseliensi, et Tuamensi, ut singuli possint eadem propriis Epis. suffraganeis notificare et illa zelose operari ut omnimodo executioni illico mandentur.

“T. ARCHI-EPIS<sup>us</sup> CÆSAREÆ,  
“NUNCIUS APOSTOL<sup>icus</sup>.”

“B.—*Decreta Congregationum Particularium de Propaganda Fide Super rebus Missionum Hiberniæ.*

“Habeantur tanquam conventus formales illæ tantum domus in quibus communem vitam ducunt regulares cujuscunque Ordinis, Congregationis, vel Instituti, etiam Societatis Jesu. Cæteri vero qui extra prædictas domos vel conventus qualibet ex causa seu sub quovis titulo degunt, episcopis tanquam Sedis Aplice Delegatis in omnibus et per omnia subjaceant.

“Illi autem regulares cujuslibet ordinis, ut supra, qui absque litteris obedientialibus suorum respective Superiorum Generalium aut Provincialium in Hiberniam se contulerint, habeantur tanquam Apostata, ideoque Episcopi contra illos pœnis canonicis procedant, eosdemque ex Hibernia omnino exire compellant.

“Qui vero legitimis obedientialibus muniti erunt, eos Epis<sup>us</sup> ad quorum diœcesim accesserint exhibere debeant una cum litteris testimonialibus nuncii Aplici Bruxellensis qui missionibus Hiberniæ præest; eisque pariter patefacere teneantur locum seu districtum ad quem a suo respective Superiore designati fuerint; liberum autem sit cuique Ordinario in propria diœcesi, si justa causa ei subeat vel mali cavendi vel consulendi majori animarum bono, iis alia loca constituere in quibus missionis munia utiliter exercere queant. Hujusmodi autem testimoniales litteræ nuncii Aplici exhibendæ erunt etiam a quolibet presbytero sæculari, et nemo sine iis ad missionem accedere audeat.

“Quotiescunque autem ob rationabilem causam transferendus sit ali-

quis religiosus missionarius ab uno ad alium locum, id a superiore regulari minime fiat nisi requisito et obtento consensu Ordinarii.

“Cæterum superiores ad quos pertinet, in id maxime incumbant ut religiosi ad Hibernicam missionem mittendi, optimis moribus sint præditi et in studiis bene versati, nec adeo juvenilis ætatis ut debitam sibi, suoque muneris apud sæculares venerationem conciliare nequeant.

“Porro visitatores seu Delegati a Superioribus Generalibus vel provincialibus prædictorum Ordinum, Congregationum, et Societatum, etiam Jesu, teneantur de commisso sibi munere obsequii gratia certiores facere Nuncium Aplicum Bruxellensem, ab eoque petere litteras commendatitias ad Epis. necnon peculiarem instructionem de rebus quæ ad animarum profectum et Catholicæ Religionis incrementum felicius promovendum conducere possint.

“Superiores regulares, neminem in posterum ad habitum religiosum admittant in Hiberniæ regno sed qui expetunt alicui religiosorum ordini nomen dare: habitum induant in illis solum cœnobiis quæ in regionibus Catholicis existunt, ubi novitiatus ejusdem ordinis juxta constitutiones Pontificum Romanorum erecti sunt, neque in Hiberniam reverti possunt nisi prius studiorum cursus absolverint et præsertim Theologiam Dogmaticam et Moralem plane didicerint.

“Supradicta decreta Sacræ Congregationis de Propaganda Fide expressa sub littera B, transmittuntur ad Ill<sup>mum</sup> Archiepis. Dublinensem ab eodem communicanda etiam Ill<sup>mum</sup> Archiepis. Armacano, Casseliensi, et Tuamensi, ut singuli possint eadem notificare propriis Episcopis suffraganeis pro eorum cognitione tantum, nam pro eorum executione fuerunt jam indicta Superioribus Ordinum Religiosorum.

“J. ARCHI-EP<sup>us</sup> CÆSAREÆ,  
“NUNCI<sup>us</sup> APLICUS.”

“Anno 1751.—Ill<sup>ms</sup> Domine,

“Sacræ Congregationis de Propaganda Fide Decreta super rebus ad hanc missionem spectantibus mihi fuerunt nuperrime transmissa ecclesiasticis ordinariis Prælati hujusce regni communicanda, quæ ad Ill<sup>mum</sup> D. V. dirigo ut illa etiam Archiepiscopo Armacano, Casseliensi, et Tuamensi communicare dignetur, et quisquis suis Episcopis suffraganeis quæ sunt in folio A, commendet illico executioni mandari; quæ sunt in folio B, inservant pro eorum tantum notitia, sicuti etiam in calce notavi: unicum exemplar transmittito ne ex multiplicatis fasciculis exoriantur in isto regimine suspiciones ac difficultates. Ill<sup>ms</sup> D. V. ore tenus Dublini vel negotiorum gestoribus seu per epistolas commodius et sine periculo transcriptum Decretorum extradere favebit: interim omni qua par est observantia subscribor.

“J. ARCHIEP<sup>us</sup> CÆSAREÆ,  
“NUNCIUS APLICUS.”

“Ill<sup>ms</sup> D. V. addictissimus,  
“Bruxellis 9<sup>a</sup> Feb. 1751.”

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## STATUTES OF CASHEL, 1763.

“In nomine Domini. Amen.

“*Jacobus Dei et apostolicæ sedis gratia Archiepiscopus Casseliensis et Administrator Imlicensis omnibus et singulis Ecclesiasticis dicti districtus salutem in D<sup>no</sup> sempiternam, hac prima die Augusti, 1763, in capella de Thurless.*

“1<sup>mo</sup>. Meminerint quod ipso facto suspensionem incurrunt suo Ordinario reservatam qui matrimonium administrant, nisi iis qui immunes a canonicis impedimentis apparent per tres assuetas denuntiationes aut per dispensationem Ordinarii proprii: insuper pro hac obtinenda sufficientia motiva exhibenda sunt a proprio Parocho et dispensatio pro duabus ut plurimum exigenda est ad arbitrium Ordinarii.

“Clandestine conjuncti contumaciter negantes solvere debitam obedientiam suo pastori et patefacere sacerdotem, testes, procuratores et fautores hujus criminis reos, cæterasque hujus criminis circumstantias denunciandi sunt a proprio Parocho inter missarum solemnias coram populo congregato tribus diebus Dominicis continuis, ipsos fore onerandos censuris Ecclesiasticis nisi illico dignos pœnitentiæ fructus ferant, hocque faciet unusquisque Parochus: deinde si opus fuerit casum in toto suo cursu candidè scriptum adferat ad suum Ordinarium pro congruo remedio.

“2<sup>do</sup>. Huic pœnæ subjicitur et Parochus et vicarius Parochi qui tri-duo sit absens a sua Parochia aut per corporis sui infirmitatem aut ægritudinem aut per negotia rationabilia, nisi prius substituit idoneo sacerdote aliquo, qui gregi suo invigilet et inserviat, de licentia ad minus vicarii nostri obtenta per nuncium vel per literas ad ipsum prius datas, notificantes substitutum et necessitatem si quæ sit absentię per tres illos continuos dies, et sic vicarius noster si voluerit secundum rerum exigentiam indulgere queat absentiam Parochi aut vicarii non solum per tres dictos dies sed etiam per alios tres dies pariter nempe per sex successive continuos dies et non ultra sine nostra speciali licentia.

“3<sup>do</sup>. Si quidem, ut ait Honorius tertius papa, cuilibet sacerdoti quacumque dignitate præfulgeat unam in die missam celebrare sufficiat; nam et valde felix qui celebrat digne unam: hinc et propter monitum Papale hac de re in facultatibus insertum quo conscientię nostræ injungitur ut nec ipsi sine gravissimis causis et rarissime utamur facultatibus bis in Dei celebrandi, nec eandem aliis nisi paucis duntaxat iisque maturioris prudentię et zeli, et qui absolute necessarij sunt, nec pro quolibet loco sed ubi gravis necessitas tulerit, et ad breve tempus communicemus; has inquam ob causas speciali hac constitutione statuimus et sub pœna suspensionis inhibemus sacerdotibus omnibus sub nostra jurisdictione positis ne quis eorum duas eodem die (excepta Die Nativitatis Domini) missas celebrare attentet sine nostra speciali licentia et approbatione prius concessa.

“Iis autem specialiter pastoribus et curatis concedenda est binandi facultas quibus duarum Parochiarum duas distinctas capellas habentium cura incumbit, aut etiam unius ita amplæ et extensæ ut duas missarum stationes pro populi commoditate requirat, dum iisdem de vicario sive ob



tenuitatem redditus sive ob penuriam Sacerdotum providere nobis non liceat. Parocho, autem vel curato qui binandi facultatem a nobis obtinuerit cuique eodem die duas missas celebrandi obligatio incumbit (intra tamen hunc proprium districtum) si fortuito quovis casu inculpabiliter fuerit impeditus, alium quemvis Sacerdotem a nobis approbatum ad suas vices in ejusmodi casu obeundas sibi substituendi (ut dictum est) præsentium vigore facultatem concedimus.

“4<sup>to</sup>. Qui facultate binandi abusus fuerit unam celebrando missam pro populo et alteram pro commoditate cujuslibet personæ aut familiæ sine nostra speciali licentia, vel pro pecuniis aut adulationibus sæcularium ut loquitur Alexander secundus Papa, is prædicta facultate ipso facto privatus manebit, aliasque luet penas arbitrio nostro infligendas: meminerint enim sacerdotes verborum jam nominati papæ in canone ‘Sufficit’ de consecratione, distinc : 1 : ubi sic habet ‘qui vero pro pecuniis aut adulationibus sæcularium una die præsumunt plures facere missas non æstimo evadere damnationem.’

“4<sup>to</sup>. Cum collatio sive concursus spiritualis aut Synodus pastorum sit ipsorum munus essentielle, ideo dictos Ecclesiasticos hortamur in D<sup>no</sup> eisque præcipimus sub pœna suspensionis a missa celebranda extra suum districtum Parochialem, vel proprium conventum sive domum si sit regularis aut sæcularis non beneficiatus, per integrum mensem a die statuto pro synodo inclusive vel generali vel particulari non discedere nisi locis et temporibus statutis convenient, vel in suis propriis personis vel sufficientia testimonia de impedimento accessus cujuscunque absentis ostendant et ut nusquam quisquam ipsorum quotiescunque concurrunt omnes aut aliqui ipsorum infra dictas dioceses locum libenter occupet a superiore Sacerdote, aut junior ipsorum a seniore (quem novit) Sacerdote, aut is a graduato aut a dignitario aut officiali: sed observent omnes præposituram in officio secundum dignitatem et antiquitatem.

“5<sup>to</sup>. Sic pariter præcipimus ut epistola nostra de visitatione integre legatur et exponatur a singulis ipsorum in suis oratoriis tribus continuis festivis diebus, immediate præcedentibus diem respective assignatum pro visitatione suorum districtum Parochialium, et ut unusquisque ipsorum in promptu habeat responsa sua in scriptis ad omnes et singulas interrogationes hauriendas ex dicta epistola quibus addantur vel adimantur requisita (expeditionis gratia) in singulis visitationibus: cum insurrectiones contra leges Municipales hujus regni nos deterreat a nostro solito cursu, hortamur vos in Domino strenue laborare ad procurandam tranquillitatem, pacem, obedientiam in vestris respective districtibus et fideliter exequi nostras ad vos de hac re litteras ultimo et penultimo anno, ut per vos patefiant mala ex illa dissensione illata Deo, Ecclesiæ, et Reipublicæ.

“6<sup>to</sup>. Præcipimus quoque ut nulla Capella in dictis diocesibus vacet sacrificio in festivis diebus, nisi Parochus ex communi consensu districtus ad funus exequiarum in eo conveniat: repetimus commendationes nostras in visceribus Christi nostris clericis ut crescant sua abstinencia et abhorrentia a computationibus iis præsertim quæ nuptiarum et natalitiorum occasionibus habentur, et præcipue in officiis exequiarum, trigesimorum et anniversariorum, cum lugere cum lugentibus deceat ministros Christi et patres spirituales.

“7<sup>imo</sup>. Clericos nostros in D<sup>no</sup> hortamur, iisque pariter præcipimus ut

cum musicis et saltatoribus non sese commisceant in conviviis laicorum, et ut spectacula omnia, nundinas, cursus equorum, Phililudia cujuscunque generis et alios ejusmodi profanos conventus procul evitent, aucupia, venatoribus se nunquam ingerant, alearias chartas quæ ludos non sectantur, et omnia denique vana, levia, et futilia, contemnant, fastidiantque; humilitatem, mansuetudinem, virtutemque omnes amplectantur, oblata occasione aliis præeant in orationibus ad Deum mane et vespere, in catechisandis parvulis et adultis sint constantes, in cura pastorali vigilantes, ut amorem Dei et proximi et odium peccati procurent in cordibus sui gregis: pauci tantum (gratias Deo) dilectos nostri cleros suspicantur omnia et singula præcedentia monita et præcepta inter alia sæpe repetita, hucusque non ad amussim observasse: non ut confundantur hæc nunc reputantur, sed carissime monentur ut duplici honore coronentur, prout iis fideliter et ardentèr apprecatur.

“JACOBUS Supradictus.”

#### STATUTES OF 1782.

“Jacobus Dei et Apostolicæ sedis gratia Archiepiscopus Casseliensis et Imolacensis, &c., Dilectis et venerabilibus, D. D., Vicariis-Generalibus et foraneis, Decanis, Dignitariis Canoniciis, Parochis, Superioribus Regularium, necnon omnibus Sacerdotibus tam Sæcularibus quam regularibus, nostrarum Dioceseon Casseliensis et Imolacensis salutem in Domino.

“Cum per legem nuper in supremis regni comitiis actam, nobis tandem liceat ea omnia in capellis nostris et ædibus privatis agere et celebrare, quæ nostræ sunt sanctæ religionis, misericordia Dei, in cujus manu sunt corda Regum, essemus indigni et nostri pastoralis officii prorsus immemores, si concessa nobis hac facultate solemniter instituendi omnia, quæ disciplinam generalem in nostris dioceseis firmiter stabilirent, et proinde gloriam Dei et salutem animarum promoverè possent, quantocius non uteremur. Cum vero ad ea nihil magis conferre possit, quam Synodi Diocesanæ juxta normam a sacrosancto Concilio Tridentino præscriptam, celebratio: Nos de consilio venerabilium fratrum nostrorum Vicariorum-Generalium, et Decanorum Ecclesiarum nostrarum Cathedralium Casseliensis et Imolacensis, monemus in Domino, nostraque ordinaria potestate jubemus, omnes et singulos Vicarios nostros et Generales et foraneos, Decanos, Dignitarios, Canonicos, Parochos, Superiores Regularium, necnon omnes Sacerdotes tam Sæculares quam regulares in nostris Dioceseis Casseliensi et Imolacensi, ut die vigesima-secunda mensis Octobris, anni currentis millesimi septingentesimi, octogesimi secundi (quam pro synodo inchoanda signanter indicimus) hora decima matutina, superpelliceis induti in Capellam Thurlesianam conveniant. Ut tandem id exactius ad omnipotentis Dei laudem et gloriam perfici queat, omnes enixè in Domino, obsecramus, ut sacrificiis et orationibus, tum ipsis, tum populis ipsis commissis opem Dei, patris luminum, implorent, ut hujus synodi celebratio, in ipsius Dei gloriam, Dioceseon reformationem, et universorum ordinum salutem finiatur et cedat. Datum Thurlesiae, die mensis Octobris decimæ tertia, Anno Domini millesimo septingentesimo octogesimo-secundo—1782.

“JACOBUS, &c.

“DE MANDATO ILLMI AC REV. D. DOMINI JACOBI, ARCHIEPISCOPI CASSELIENSIS ET IMOLACENSIS.

“STATUTA *Synodalia Diæceson Casseliensis et Imolacensis, promulgata in Synodo Diæcesana, habita Thurlesicæ, diebus 22°, 23°, et 24° Mensis Octobris, Anno Domini, 1782, ab Illustrissimo et Reverendissimo D. D. Jacobo Butler, Archiepiscopo Cassel<sup>i</sup> et Imolac<sup>i</sup>.*

“‘Attende tibi et doctrinæ, insta in illis, hoc enim faciens et te ipsum salvum facies et illos qui te audiunt.’—1 Tim. iv. 16.

“CAP. I.—*De utilitate Synodi Diæcesanæ, et de quorundam Statutorum abrogatione.*

“Sacrosancta Synodus Tridentina, Dei voluntatis optima interpres, sapienter omnia perpendens quæ ad Dei gloriam et animarum salutem magis conferre possint, Synodos Diæcesanas singulis annis celebrari jubet. Licet enim in Diæcesis visitatione, plura deprehendat Episcopus, quæ corrigere et emendare oporteat, nunquam tamen feliciori cum successu remedia peccatis congrua præscribere potest, quam cum ipse et parochi collatis inter se consiliis mala ingruentia quasi propriis intueantur. Dum hostis humani generis indefesso conatur studio nos a tramite recto divertere, pastoralis est præcipue muneris viam salutis luce, qua potest, clarissima demonstrare. Hinc est quod Episcopi, pro suo in religionem zelo synodos celebrari curant, in quibus regulæ quædam delineantur, ad quas suam agendi rationem componant et parochi et populi ipsorum curæ commissi.

“Ea igitur videtur esse Synodorum utilitas, ut etiamsi earum celebratio non fuisset ab Ecclesia mandata, ad eas tamen celebrandas convolarent Episcopi quotquot sunt suæ aliorumque salutis memores. Unde merito a Patribus concilii provincialis Colloniensis (1549) Synodi rectissime dicuntur corporis Ecclesiæ nervi, neglectis enim, ut aiunt, Synodis, non aliter Ecclesiasticus ordo diffluit, quam si corpus humanum nervis solvatur.

“Ob has igitur et similes rationes statuimus et decernimus ut singulis annis celebretur Synodus Diæcesana, in qua Casseliensis et Imolacensis Clerus conveniat, diebus et locis, qui nobis aut Vicariis nostris Generalibus opportuni magis videbuntur.

“Ne autem multitudo statutorum in his nostris Diæcesibus vim legum habentium mole suo opprimeret Sacerdotes nostros, jam pluribus distentos curis, ac proinde minus idoneos ad singula recolenda statuta quæ cum diversis fuerint temporibus et multis retro annis sancita, vix nunc reperiuntur, et quoniam aliquibus annexa est fortassis censura, statuimus et decernimus ut omnia statuta, omnes leges et constitutiones Synodales (quæcunque fuerint) hucusque in his Diæcesibus vim legum habentes, virtute præsentis Statuti antiquentur et abrogentur, atque ita invalidæ sint ac si nunquam extitissent, nullasque constitutiones Synodales deinceps robur ac vim legum habituras, nisi quæ in præsentī Synodo vel in Synodis posthac celebrandis sancitæ fuerint declaramus.

“CAP. II.—*De Baptismo.*

“Cum Patrini teneantur filios suos Spirituales verbo et exemplo viam salutis docere, præcipimus ut nullus qui sit publice infamis, nullus qui non sit bene instructus in religione Catholica, vel qui paschali defuerit officio, in patrinum admittatur, nec plures admittantur quam unus et una.

“Non obstante quavis in contrarium consuetudine, cum sæpissime constare non possit de Baptismo eorum, qui religionem Catholicam amplectuntur, decernimus ut eorum singuli baptizentur sub conditione hac ‘si non es baptizatus,’ &c.

“Omnis fœtus, quantumvis exiguus, si exteriora humani corporis lineamenta habeat, baptizetur sub hac conditione, ‘si es vivus et capax,’ &c. Parochis incumbit cura, de hoc instruere obstetrices, nullasque ad obstetricum munus exercendum admittere, quæ rudimenta fidei vel formam conferendi Baptismum ignorent, et quæ non sint vitæ et morum integritate commendabiles.

“Cum urgente mortis periculo parvulus baptizatus fuerit, iterum baptizetur sub conditione, nisi prioris Baptismi minister fuerit Sacerdos, vel alius de forma conferendi Baptismum bene instructus, et si supersit tempus ante mortem infantis, omissæ præces et cæremoniæ suppleantur. Nulla mulier quæ extra matrimonium pepererit ante mensem elapsum purificetur, si iterum et similiter pepererit ante duos menses elapsos non purificetur, ter extra matrimonium pariens nunquam purificetur.

“Ubi aqua consecrata non habetur benedictio fontis fiat juxta formam in Rituali præscriptam.

“Omnis Parochus vel Sacerdos curam animarum habens nomina Baptizatorum in libro ad id destinato describat, simulque nomina patris et matris baptizati, necnon patrinorum, diem et annum baptizmi collati; et talis liber nobis exhibendus est in visitatione uniuscujusque Parochiæ.

“CAP. III.—*De Confirmatione.*

“Nullus ad Sacramentum Confirmationis recipiendum admittatur, qui septimum ætatis suæ annum non fuerit prætergressus, qui in Religione Catholica non sit bene instructus, et præcipue qui non memoriter teneat actus Contritionis, Fidei, Spei, et Charitatis, et qui confessione sacramentali intra duos vel tres dies antequam illud sacramentum recipiat, non sit munitus. Sit Parochus vel alius Sacerdos confirmandorum patrinus.

“CAP. IV.—*De Eucharistia.*

“Nullus ad Eucharistiam admittatur qui decimum tertium ætatis suæ annum non attigerit, et qui doctrinam Christianam pro sui ipsius captu non sufficienter calleat. Omnes ita instructi talemque ætatem adepti, bis saltem in anno circa festum scilicet natalis Domini et in Paschate accipiant communionem, sub pœnis ad nostrum arbitrium infligendis: nullus sanctissimo sacramento reficiatur sine nostra vel vicarii nostri Generalis speciali licentia qui se proprio suo parcho, vel alteri Sacerdoti de ejus licentia ad tribunal Pœnitentiæ non præsentaverit intra primam Dominicam Quadragesimæ et Ascensionem Domini, ultra quam diem tempus excipiendi confessiones Paschales non protendatur, non obstante quavis contraria consuetudine.

"Ut autem omnes *Sacerdotes* nostri paribus studiis et simili zelo in vinea Domini collaborent, præcipimus ut singulis annis in festo Sancti Michaelis incipiat tempus excipiendi fidelium confessiones pro festo natalis Domini, et in festo Epiphaniæ terminetur; et ut in Dominica prima Quadragesimæ Paschalis communio incipiat et in Ascensione Domini finiatur. Quicumque sacerdos huic nostro Synodali statuto non obtemperaverit, se nostram indignationem noverit incursum.

"Pueris in extremo periclitantibus, qui possint dijudicare corpus Domini, etiamsi duodecimum ætatis suæ annum non fuerint prætergressi, non est denegandum corporis Domini viaticum, quod et infirmo singulis octiduis dari potest, modo idem periculum mortis remaneat.

"CAP. V.—*De Sacrificio Missæ.*

"Nullus Sacerdos ad celebrandam Missam admittatur, qui literas testimoniales a suo Ordinario vel superiori non exhibeat, nisi aliter sit notus. Nullus utatur facultate bis in die celebrandi, nisi gravis urgeat et publica necessitas, ut si quis parochus non habens coadjutorem, vel alium sacerdotem, qui illius locum supplere possit, duas habeat distinctas capellas vel quasi capellas, quibus inservire tenetur, vel si corpus terræ mandandum sit die festo vel Dominica: licet sacerdoti iterum missam illo die celebrare, ne populus, qui corpus illud comitatur, sacro privetur.

"Nullus sacerdos post diem primam Mensis Januarii, 1783, in alio quam in aureo vel in argenteo calice celebret, nullusque unquam laceris aut sordidis paramentis in missæ celebratione utatur. Hinc stricte præcipimus ut altaris linteamina, scilicet, mappæ, corporalia, purificatoria, manutergia, amictus, alba et cingulum pluries in anno abluantur; qui hoc neglexerit indignus videbitur cui Dominici corporis dispensatio concedatur. Præcipimus etiam ut singuli Parochi quatuor saltem corporalia et duodecim purificatoria habeant.

"Quandocunque ex hac vita migraverit Archiepiscopus Casseliensis, singuli sacerdotes in utraque Diocesi Casseliensi et Imolacensi decem Missas pro ipsius anima celebrare tenebuntur. Quando vero Parochus ex nostris decesserit tria sacra pro eo celebrent singuli in utraque Diocesi Parochi, unum vero coadjutores et sacerdotes Regulares. Si Coadjutor Parochi vel sacerdos Regularis mortuus fuerit, omnes sacerdotes unum pro eo sacrum celebrare tenebuntur. Stricte præcipimus ut omnes sacerdotes nostri singulis diebus Dominicis et festivis ante missam alta et distincta voce recitent in suis capellis coram populo congregato actus Contritionis, Fidei, Spei, et Charitatis.

"CAP. VI.—*De Pœnitentia.*

"Cum nullas sacerdos confessiones fidelium excipere audeat sine nostra vel vicarii nostri Generalis licentia, volumus ut illa licentia in scriptis concedatur, ad certum duntaxat et determinatum tempus, nisi Sacerdos ille possidet beneficium cui annexa est cura animarum; et elapso tempore ad quod usque concessa est ejusmodi licentia, privatur omni jurisdictione sacerdos ille nisi de nova licentia sibi antea providerit. Statuimus ut nullus sacerdos excipiat confessiones in capellis vel in publicis locis ad excipiendas confessiones designatis, nisi indutus superpelliceo, si id com-

mode fieri potest. Nullus sacerdos confessionem mulieris in ullo loco profano januis clausis excipere audeat.

“Cum nullus sacerdos sub quovis prætextu aliquem audeat absolvere a Casibus nobis reservatis, sine nostra vel vicarii nostri Generalis vel etiam Pœnitentiarii nostri, qui aliquando licentiam pro uno jurisdictionis actu conferre potest, expressa facultate; sciant sacerdotes nostri, quod illa facultas pro unica tantum vice concedatur, nisi aliter exprimatur. Concedenti facultatem casus specialiter exprimi debet.

“*Casus autem nobis reservati sunt.*

[Idem qui communiter reservari solent.]

“Stricte statuimus ut regulas in sacramenti pœnitentiæ administratione observandas, a nobis delineatas, sæpissime legant, et fideliter sequantur omnes sacerdotes ad excipiendas confessiones a nobis approbati.

“Præcipua parochis incumbit cura, parvulos in sua parochia qui septimum ætatis suæ annum prætergressi sunt, ad se frequenter accersere, eorum confessiones excipere, monita salutis ipsis impertiri, atque ita tam pretiosam Dominici gregis partem, quo possunt studio, servare illibatam, Cuilibet confessorio cujuslibet pœnitentis confessionem generalem excipienti facultatem concedimus absolvendi ab omnibus censuris et casibus nobis reservatis, si qui vel quæ tunc occurrunt.

“CAP. VII.—*De Extrema Unctione.*

“Frequenter admoneat parochus parochianos suos, ut si qui ex ipsis in infirmitate periculose decumbunt, ipsum accersant, dum sensibus integri sunt et mentis compotes. Sacramentum extremæ unctionis non est denegandum parvulis qui rationis usum obtinuerint. Unde merito culpandi sunt parentes qui liberos suos e vita discedere sinunt sine sacramenti adminiculo, quod animabus et corporibus robur et consolationem afferre institutum est. Volumus ut de hoc instruant populum sibi commissum sacerdotes nostri.

“CAP. VIII.—*De Ordine.*

“Omnis ad sacros anhelans ordines pluribus annis antequam legitimam Presbyteri ætatem adeptus fuerit, nobis vel examinadoribus nostris se præsentare debet, ut inter candidatos describatur, statutis temporibus examinetur, et talibus morum et doctrinæ regulis subjiçiat, quæ ipsius conditioni videbuntur opportune magis et congruæ. Sacerdotum nostrorum conscientias oneramus, ut si quæ maculæ in candidatorum conversatione vel familia ipsis appareant, eas nobis pro suo in religionem zelo quam citius detegant: omnis sacerdos qui non habet beneficium, cui annexa est cura animarum ad examen revocabitur in quatuor anni temporibus, nisi nobis aliter visum fuerit. Statuimus ut singuli nostri sacerdotes singulis quindenis sua peccata deponant; qui intra mensem non confessi fuerint, se noverint suspensos a missa celebranda extra suam parochiam per duos menses.

“CAP. IX.—*De Matrimonio.*

“Nullus sacerdos sub quovis prætextu matrimonium celebrare præsumat nisi facta bannorum solitis tribus diebus Dominicis vel festivis publi-

catione, vel obtenta a nobis vel a vicariis nostris illud celebrandi licentia, sub pœna suspensionis ipso facto incurrendæ. Præcipimus ut conjuges duobus vel tribus diebus antequam contrahant matrimonium sua peccata confiteantur. Sacerdoti sponsorum confessiones excipienti facultatem concedimus eos absolvendi a casibus et censuris, si qui vel quæ tunc occurrant, nobis reservatis, excepto tamen peccato pœnitentis cum confessario.

“Si quæ mulier se permiserit abduci vel deflorari, omni spe matrimonium ineundi cum raptore vel defloratore careat sine nostra vel vicarii nostri generalis licentia, ad id prius in scriptis concessa; si autem periculum sit in mora, de consensu et consilio vicarii foranei consentimus ut conjungantur.

“Qui supplicationes nobis vel vicariis nostris generalibus pro dispensationibus matrimonialibus obtinendis proferunt, easdem supplicationes et causas petendæ dispensationis in scriptis et in stylo curiæ proferant, aliter prolata supplicatio sine responso remittetur: nomina conjugum triumque testium, diem et annum celebrati conjugii, in libro parochiali describi stricte præcipimus, isque liber nobis exhibeatur in visitatione ejusdem parochiæ.

“CAP. X.—*De Verbi Dei Prædicatione.*

“Statuimus et decernimus ut singuli sacerdotes nostri, curam animarum habentes, singulis diebus Dominicis et festivis de præcepto populum sibi commissum per se vel per alium sacerdotem a nobis approbatum exhortentur vel catechizent. Cum autem nihil nobis antiquius sit, quam ut verba salutis sæpiissime proferantur, statuimus ut qui per tres successive dies festos vel Dominicos hocce suum principale munus obire neglexerint, se noverint suspensos a missa celebranda extra fines suæ parochiæ quamdiu nobis vel nostro Vicario Generali visum fuerit. Volumus etiam ut singulis diebus Dominicis et festivis, lectio Catechismi Anglici vel Hibernici, pro audientium captu, idiomate, populo exponatur.

“CAP. XI.—*De Collationibus.*

“Statuimus ut omnes sacerdotes tam sæculares quam regulares in nostris Diœcesibus Casseliensi et Imolacensi, temporibus et in locis a nobis vel Vicariis nostris Generalibus designatis convenient, ubi et quando Collationes habendæ sint in Theologia morali et controversiis fidei. Qui abfuerit ab ejusmodi Collationibus tres solidos Anglicanos solvat in manus secretarii synodi, non obstantibus privilegiis, consuetudinibus, vel excusationibus quibuscunque. Qui sine causa cognita et probata ter in anno a Collationibus abfuerit se noverit quamdiu nobis placuerit suspensum.

“CAP. XII.—*De Confraternitatibus et Scholis.*

“Cum in his nostris Diœcesibus Casseliensi et Imolacensi ereximus confraternitatem sanctissimi Sacramenti, cujus membris confessis, sacra communione reffectis, et aliis quæ in decreto erectionis continentur peractis, indulgentiam plenariam concessit Sanctissimus D. noster Pius VI., Papa, perpetuis valituram temporibus, et tertia cujusque mensis Dominica lucranda; volumus ut parochi nostri pro suo in

animarum salute procuranda studio parochiales suos exhortentur ut nomina describant inter eos, qui tam uberes gratias omni opera consequi student, et describendorum nomina ad nos remittantur, catalogo confraternitatis inserenda. Præcipimus ut parochi nostri frequenter visitent scholas in suis respective parochiis, taliaq. impertiantur Ludimagistris monita, quæ puerorum in pietate et doctrina progressum adjuvare possint. Diligenter inquirent utrum Catechismum in scholis singulis diebus doceant magistri, utrum mendacia, juramenta, iræ, odia e scholis eliminentur, utrum qui ex pueris doli sunt capaces peccata depellant. Si qui Ludimagistri non sint et probatis moribus et doctrina, et monitis parochorum non obsequantur, expellantur, alique in eorum locis sufficiantur.

“CAP. XIII.—*De Patronis locorum et de Vigiliis Defunctorum.*”

“Præcipimus ut prohibeantur omnes conventus, qui vocantur patroni, quos aboleri prorsus volumus ob multiplicem, qui ibi comittitur, abusum. Qui posthac in illis conveperint locis, ad nos remittantur puniendi. Cum vigiliæ defunctorum potissimum fuerint institutæ, ut piis plurimorum precibus fidelium animæ juvantur, nihil ab earum institutione videtur alienum magis quam ut lusus impudici exerceantur quibus memoria mortis sancta et salubris penitus ex mentibus assistentium arcetur. Nos ex plenitudine potestatis nostræ omnes et singulos, qui in posterum ejusmodi abusuum rei fuerint deprehensi, excommunicamus. Moneant frequenter parochi populum sibi commissum ut abstineant ab occludendis et oribus et naribus eorum, qui vita excedunt donec certissima mortis appareant indicia: nullus sepeliatur donec viginti quatuor a morte illius elapsæ fuerint horæ.

“CAP. XIV.—*De Rixatoribus.*”

“Qui publice rixati fuerint absolutionis beneficium non obtineant donec se nobis præsentaverint. Ne autem rixatores sub illo prætextu confessiones differant, præcipimus omnibus et singulis nostris parochis ut simul ac rixas vel pugnas in sua vicinia accidisse compererint, rixatores si qui sint ad se quam citius accersant atque ad nos remittant puniendos; si testimonium suæ ad nos peregrinationis, die Dominico vel festivo, postquam ejusmodi rixæ acciderint et de ea moniti fuerint, non proferant, coram populo apparere jubeantur; et si ter, scilicet, tribus diebus Dominicis vel festivis moniti apparere renuerint, excommunicentur.

“CAP. XV.—*De Residentia Parochorum.*”

“Nullus Pastor a grege sibi commissio duobus successive diebus absit, si non substituerit alium sacerdotem, qui munia pastoralia in sua parochia obire debeat, nec diutius quam sex successive diebus abesse audeat, sine nostra vel Vicarii nostri Generalis licentia.

“FINIS.”



*"Codicil or Instructions to the Will of Dr. J. Butler II."*

"I, the Rev. Ja<sup>s</sup> B. of Thurles, do give the following directions to the Exec<sup>r</sup>. whom I *shall* constitute & appoint in my last will and testament. I leave & bequeath to my Successor the R. C. A. B. C., the interest of my houses, gardens, and fields; and also all my household furniture of what nature or kind they be, as also all my house-linen, beds, blankets, plate, in fine every thing useful & ornamental in my house, together with all my books, except such as my Exec<sup>r</sup> shall think proper to send to the R<sup>d</sup> Rev. D<sup>r</sup>. Douglas, of London; and also all my Pontifical rings and crosses, and all my Pontif<sup>l</sup>, Sacerdotal, and other Ecclesiastical ornaments; on condition, however, that he, my s<sup>d</sup> successor, shall celebrate, or cause to be celeb<sup>d</sup>. weekly in the Chapel of Thurles, 1 Mass for my soul, & shall keep an anniversary yearly during his natural life. And I order that he, my s<sup>d</sup> success<sup>r</sup>, shall at his death, leave & bequeath the before-mentioned bequests made by me, to his Success<sup>r</sup> on the same conditions before recited. & any act in my Suc<sup>r</sup> that may tend to alienate the benefit of my s<sup>d</sup> bequests from my Suc<sup>r</sup> in the See of Cashel, is hereby declared null & of none effect, of which my Exec<sup>r</sup> are to take particular notice, and to provide ag<sup>t</sup> such alienation by such legal means as to them shall seem most proper on the occasion." He then leaves £20 p<sup>r</sup> annum to M<sup>rs</sup>. Anastasia Tobin, if she continue to take care of the school in Thurles; for otherwise his Exec<sup>r</sup> and success<sup>r</sup> are to dispose of this sum as they deem most proper to meet his intention. 'In witness whereof I have hereunto put my hand & seal at Thurles, the first day of July, 1791.'

"JAMES BUTLER, &c."

UNPUBLISHED DOCUMENTS ILLUSTRATING THE LIFE AND TIMES OF DR.  
JAMES BUTLER II.

*"Jacobo Archiēpo Casseliensi, ceterisque ejus Provinciae Episcopis.*

"PER ILLUS<sup>m</sup>. ET REV<sup>m</sup>. DNI. V. FRATRES,

"Priusquam Amplitudinum VV<sup>m</sup>. literæ allatæ ad me essent, electus jam fuerat ab hac S. Cong. et a SSmo Dno nostro confirmatus Ossoriensis Epus P. Joannes Troy Dublinensis ex ordine Prædicatorum, actualis Prior conventus S. Clementis de Urbe, vir pietate, doctrinâ, cæterisque optimo pastore dignis virtutibus commendatissimus. Quare Amplitudines vestræ probe vident, testimoniorum vestrorum rationem a S. Congr<sup>e</sup> haberi minime potuisse, quorum tamen suffragia pro vestro zelo egregiusque meritis plurimum ponderis apud S. Congregationem fuissent habitura. Itaque cum minime dubito, quin pro vestrâ sapientiâ id ratum et jucundum habere velitis, quod divinâ dispositione factum videtur, tum etiam confido, vestrâ auctoritate atque officiis curaturos, ut novus Episcopus eo quo par est obsequio et filiali amore ab suæ diocesis ordinibus excipiat. Sic enim et rem facietis vestrâ pietate, perpetuoque erga S. Sedem studio dignissimam, et Ossoriensis Ecclesiæ bono, cujus tam

laudabilem sollicitudinem ostenditis, cumulate prospicietis. Quod dum a vobis sedulo factum iri confido, Deum precor ut Ampli. ves. sospites diutissime servet.

“Amplum V. V.

“Romæ, Dec<sup>r</sup> 14, 1776,

“Uti Frater Studiosissimus

“JOSEPH ML. CARŎLIS. CASTELLI PRF.

“STEPHANUS BORGIA, SECR”.

“D.D. Jacobo, Archiep<sup>o</sup> Cassel<sup>i</sup>,  
cæterisque ejus Prov<sup>æ</sup> Episcopis.”

“D. Jacobo Butler, Archêpo Casseliensi in Hybernâ Thurlesiam.

“PER ILLME ET RME DNE UTI FR”.

“Cum per authenticum documentum ab Ampli. sua diligenter missum, legitime nunc constet de actu resignationis, quo D. Joannes Butler Limericensi Episcopatu, ad quem nuper evectus fuerit, Divino suadente consilio sese abdicavit, id quamprimum Sa<sup>c</sup>. Cong<sup>o</sup> curabit, ut eidem Diœcesi, tandiu suo viduatæ Pastore dignus aliquis Ep<sup>us</sup> præficiatur. In hac porro electione quamvis plures sint quorum respectum habere oportet, tamen S. Cong. non deerit eorum etiam, quos Ampli. Tua nobis proposuit, omnem-adhibere rationem.

“Gaudeo autem ac plurimum in Domino gratulor, quod in Regno isto spes certa aliqua affulgeat, ut pœnales jamdiu contra Catholicos latæ leges penitus aboleantur, et libera ubique detur facultas exercendæ religionis. Faxit Deus, ut tam secundæ dispositiones in irritum non ferantur, et Ecclesia sua isthic post luctuosa tempora iterum reflorescat.

“Ægre vero tulerunt Emi P.P. ea quæ Parlamenti Orator Ampli. tuæ in colloquio secum habito declaravit, eam scilicet invaluisse in regimine isto opinionem, quod in Hiberniæ Episcopatibus conferendis, præter Romanum Pontificem et hanc S. Cong<sup>em</sup>, partem aliquam sibi etiam vindicent extraneæ potestates. Quanta laboret hujusmodi opinio falsitate tibi ipsi patere debet. Is enim semper extitit S. Cong<sup>is</sup> mos et consuetudo, ut in quo plura concurrerent Ep<sup>orum</sup> et Cleri vacantis Ecclesiæ vota, eum potissime in Pastorem elegerit, ac nullum unquam nominaverit, quem non prius Hiberniæ Præsules tanquam inter cæteros digniorem non exhibuerint. Quod si aliquando contigit, ut in aliquorum electione officia quoque extranearum potestatum accederent, id quidem fortuito evenit; nec in S. hujus Cong<sup>is</sup> potestate est eadem vitare. Cum enim Hiberni Presbyteri ab ineunte ætate in externa collegia aliquando secesserint, ibique plures in amicitiam sibi conciliaverint, inter quos sæpe principes, quorum patrocínio et largitate collegia fruuntur, nihil profecto facilius, quam ut data opportunitate ipsorum gratia et commendationibus utantur. Ad hæc vero S. Cong<sup>o</sup> vix respicit; et si eadem D. Joanni Butler Limericensem Cathedram nuper credidit, id quidem non sine precibus Ampli. tuæ, finitimorum Præsulum, et plurimum ex clero factum est, sine quibus nihil profecto ponderis apud S. Cong<sup>em</sup> in re tanti momenti quælibet extraneorum officia habuissent. De his autem Ampli. tuam ideo monitam vobis, ut falsam, perniciosamque opinionem opportune refellas, præfatumque Oratorem rei veritatem edoceas. Restat ut Ampli. tuæ testa-

tam faciam sac. hujus Congn̄is gratam, propensamque voluntatem non solum ob diligentiam ac studium, quo in expendendis muneribus tibi commissis apprime uteris, verum etiam ob ea, quæ retulisti de æqua disciplina, quæ non unice abs te, sed etiam a suffraganeis tuis in collatione ordinum et Parochiarum, necnon in dispensationibus matrimoniorum impertiendis ubique servatur. Ac dum fore confido ut res æque in posterum pergant, Deum optimum Maximum precor, ut Ampli. tuam diu sospitem servet, atque incolumem.

“Amplit. Tuæ

“Romæ, 26 Xbris, 1778

“Uti Frater Studiosissimus

“JOSEPH M. CARD. CASTELLI, PRÆF.”

“D<sup>no</sup> Jacobo Butler Archiep̄o Casseliensi  
in Hibernia. Thurlesiam.”

“D. Jacobo Butler Archēpo Casseliensi.

“ILLME AC RME DNE,

“Ex responsione quam dedi Dominationi Tuæ Illmæ superiori mense, intellexisse puto S. Congregationem de Propaganda Fide, quod ego sciam nunquam cogitasse, neque cogitare Regularem aliquem ad Ecclesiam Armachanam promovendum. Verum quidem est, eandem S. Congn̄em Episcopum Ossoriensem administratorem ejusdem Ecclesiæ delegasse; sed in hoc habita est ratio non tantum ad merita ac doctrinam ejusdem, quantum ad ejus experientiam de rebus ipsius Diœcesis, quas judex composuerat. Ast neque ipse cum propriam amet Ecclesiam, honorem translationis ad Sedem Armachanam optat, seu quærit. Scio præterea S. Congn̄em sollicite inquirere Sacerdotem aliquem Sæcularem, quem eligat ad prædictam sedem, quique sit doctrina et pietate præditus, et præsertim ab omni studio partium alienus, ut utilis Pastor evadat ipsius diœcesis. Hæc omnia satis cognita esse deberent Episcopis Suffraganeis Armachanæ Provinciæ ex litteris datis a S. Congn̄e. Pro bono tamen Catholicæ Ecclesiæ desiderandum est, Clerum Sæcularem Regularemque Hiberniæ non ad invicem devorari, sed omni contentione et æmulatione abjecta in agro Dominico mutua concordia et charitate occupari. Curet ergo Dñatio tua Illmā, ut Episcopi et clerus uterque pacifice uniatur sub debita dependentia Sedis Apostolicæ, et pro certo habeant ex hoc pendere pacem Ecclesiæ Armachanæ atque totius Hiberniæ. Et dum omnia tibi fausta precor, subscribo.

“Dñis Tuæ Illmæ ac Rmæ,

“Ad Officia Paratissimus

“GREGORIUS CARD<sup>l</sup>. SALVIATI, PRÆFECT<sup>l</sup>.

“Romæ, hac die 29 Xbris, 1781.”

“Dno Archēpo Casseliensi.

“ILLME AC RDME DNE,

“Res Armachanæ Diœcesis, quibus iterum, iterumque S. Congiō de Prop̄da Fide curavit medicinam adhibere, videntur eo magis in deterius ruere. Quare zelum et sollicitudinem Dñis Tuæ Illmæ miror laudoque. Ast ingenia partium utinam minus aspera forent, earumque studia

saniora! Non inquireret unusquisque quæ sua sunt, vel quæ esse possent, sed quæ Jesu Christi. S. Congregatio de Propaganda Fide tempore prædecessoris nostri felicis recordationis Cardinalis Nerii Corsini statuit non expedire ad Armachanam sedem sacerdotem regularem promovere, neque sine rationabili causa dubitandum hisce temporibus de mutatione consilii. Quamquam neque inter Regulares desint viri apprime digni, qui seligi possent. Interim quamplurimas gratias ago Dñi. tuæ Illmæ de monitis datis super hujusmodi negotium, atque omnia fausta precor augurorque.

“Dñs Tuæ Illmæ ac Rdñæ.

“Romæ, hac 17 die 9<sup>bris</sup>, 1781.

“Ad officio Paratissimus

“GREGORIUS CARD<sup>L</sup>. SALVIATI.

“D<sup>no</sup>. Archep<sup>o</sup> Cassell. Thurlesiam.”

“Dño Jacobo Butler Archēpo Casseliensi.

“PER ILLŪSME ET RME DNE UTI FRATER,

“Plura nobis Ampli<sup>o</sup> tua significavit epistola data die 15 Februarii proxime elapsi, quæ multum Eñis Patribus lætitiæ attulerunt. Lætandum quippe est nobis, discordiis atque tumultibus, qui Provinciam istam jamdiu agitabant, pacatis, feliciterque compositis, populum universum ad officium rediisse. Nec minus extitit S. Congñi jucundum, tuo studio ac sollicitudine irritos cecidisse conatus acatholici antistitis, qui regiminis istius invidiam adversus Orthodoxam Religionem inducere, edito opere, nitebatur. Illud quoque est diligentiae tuæ, quod missum tibi decretum de Parœciis mensalibus Episcopis Suffraganeis tuis communicari, plenæque executioni mandari curaveris. Ad juvenem porro quod attinet, qui occupet alumni locum in hoc urbano Collegio designatum Casseliensi Provinciæ, eum te elegisse gaudeo qui et votis nostris, et expectationi tuæ cumulate respondeat. Advenientem autem in urbem D. Hutchison amplissimi istius et bene de Catholica Religione meriti secretarii status filium, omni humanitate excipere ac debitis officiis prosequi haud deero. Interim Ampli<sup>o</sup> tuæ pergratam nostram erga te voluntatem adfirmare gaudeo, Deumque precor, ut eam sospitem diutissime servet atque incolumem.

“Amplit. Tuæ,

“Romæ, 5 Aprilis, 1788,

“Uti Frater Studiosissimus,

“L. CARD<sup>L</sup>. ANTONELLIUS, PRÆFECT<sup>o</sup>.

“S. BORGIA, SECR<sup>o</sup>.”

“Dño Jacobo Archiēpo Casseliensi.

“PER ILLME ET RME DNE UTI FRATER,

“Non est, cur Ampli<sup>o</sup> v<sup>ra</sup> ulterius angatur, putans, S. hanc Congñem de Episcopatu Ossoriensi jam disposuisse in favorem Sacerdotis Regularis. Quamvis enim amplissimæ commendationes, imo et expressæ postulationes allatæ fuerint pro P. Joanne O'Connor ordinis Prædicatorum eximæ tamen dotes et præclara merita D. Jacobi Lanigan Vicarii Capitularis vacantis Ecclesiæ effecerunt, ut Eñin P.P., ipsum utpote dig-

norem SS<sup>mo</sup> D<sup>ño</sup> N<sup>ro</sup> pro dicto Episcopatu proponendum censuerint. Presbyteri autem sæcularis electionem in præsentibus rerum circumstantiis Hiberniæ non modo opportunam, verum etiam pergratam fore, vehementer lætor et vestræ Amplit. gratias ago, quod et de favorabili erga Catholicos Gubernii dispositione, deque Protestantium indole circa Regulares, me diligenter monuerit. Cæterum etsi S. Congio Regulares, uti decet, debito affectu et æstimatione prosequatur, in Episcoporum tamen electionibus, illos semper præferendos curabit, qui, sive de Regularium cœtu fuerint vel solum Præsbyteri sæculares, de vacantibus Ecclesiis præclare sunt meriti, majoresque pro animarum salute labores sustulerunt. Quæ dum Amp<sup>re</sup> vestræ cognita esse volui, Deum precor, ut eam florentem et sospitem diutissime servet.

“Ampli<sup>re</sup>. Tuæ

“Romæ, 12 Julii, 1789.

“Uti Frater Studissimus.

“L. CARD<sup>l</sup>. ANTONELLUS, PRÆF<sup>us</sup>.

“J. DE CARPINIO, PRO SECRET<sup>us</sup>.”

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#### CONSECRATION OATH.

On June 23, 1791, the oath of episcopal consecration was changed at the request of the Irish bishops by Pius VI., an account of the calumnies to which those who had taken the former oath were exposed by designing bigots. The new form is too well known to require further notice in this place. At the same time, June 25, 1791, Card. Antonelli declared the use of pallium to be restored in Ireland, and that before being received the Irish archbishops could exercise the usual jurisdiction.

“*Card. Antonelli announces the restoration of the Pallium to the Irish Archbishops, and the use of Arch<sup>l</sup> Jurisdiction before the reception of the Pallium.*

“June 25, 1791.

“PERILLUSTRES AC R<sup>mi</sup> DNI UTI FRATRES,

“Ea est Apli<sup>cæ</sup> sedis erga Amplit<sup>er</sup> v<sup>ra</sup>s propensio ac voluntas ob singularem vestrorum de Catholica religione meritorum præstantiam, ut in omnibus quibus possit, vobis gratificare, ac singulos demereri percipiat. Quum itaque Pallium e Beati Petri corpore desumptum vestris prædecessoribus ab hac Apli<sup>cæ</sup> sede, et præsertim Beato Malachiæ ab Innocentio P. P. II. concessum, sed ob illatas in istis regionibus Catholicæ Ecclesiæ calumnias diuturno temporis spatio intermissum, rursus, pacatis nunc, Deo favente, tranquillatisque rebus, a SS<sup>mo</sup> D<sup>ño</sup> N<sup>ro</sup> Pio VI. Pontifice maximo enixe postulastis; idcirco ut vestris precibus benigne aures præberet, vobis pristinum Pallii usum atque honorem restituendum, decrevit. Hanc tamen legem Pontifex indulgentissimus adjunxit, ut singulis vicibus, quibus novi Archiepiscopi ac Metropolitani deinceps eligerentur, suos Procuratores hic in urbe constituent speciali mandato suffultos, qui eorum nomine hoc Pontificale ornamentum ab Apli<sup>cæ</sup> sedis benignitate petant, atque ab ea, præstito juramento, illud recipere

valeant, iisque deinde transmittere juxta morem a cæteris Archiepiscopis orbis Catholici, atque etiam iis qui degunt in partibus infidelium religiose servatum, quemque transactis temporibus apud Vos etiam in usu fuisse constat in Registris tabulariis hujus S. Congñiæ. Neque tamen repugnabit benignissimus Pontifex novis Archiepiscopis indulgere ut cum propter locorum distantiam non satis cito Pallium petere possent, adhuc tamen post receptas literas Apliçās suæ electionis, Pontificalia munera obire valeant etiam absque usu Pallii quemadmodum hactenus permissum fuit. Restat nunc quoniam juxta antiquum morem usum Pallii postulastis, ut Sanctissimi Pontificis Gregorii Magni (Tom. 2 lib. 5 Ind° xiii. ep. 53) verbis propter eandem causam scribentis ad Virgilium Episcopum Aralatensem, qui Pallii honorem pro sua Ecclesia recuperare postulaverat, vos adhortemur. Absit ne in Pallio exterioris cultus ornatum quæsisisse vos suspicemur, sed quia cunctis liquet unde in Hiberniæ regionibus fides sancta prodierit, nimirum per B. Patricium ab hac Apliça sede ad vos missum, priscam ejusdem S. Sedis consuetudinem Ampli vestræ cum repetunt, quid aliud, quam bona soboles ad sinum Matris recurrit? Libenti ergo animo postulatis vestris Pius VI. Pont. Max. satisfecit, ne vobis quidquam de debito honore subtrahatur. Sed jam nunc studio majori res indiget, ut cum honor crescit etiam sollicitudo proficiat, et erga cæterorum custodiam invigilantia excrescat. Vitæ quoque merita subjectis in exemplum veniant, et nunquam sua per suscepti honoris gratiam, sed lucra cœlestis Patriæ vestra fraternitas exquirat. Interim vero Deum precor ut Ampl. vřās diu sospites atque incolumes servet.

“Amplit. Vřarum,

“Uti Frater studiosissimus,

“L. CARD. ANTONELLUS, PRÆF”.

“A. ARCHIEP. ADANEN, SEC<sup>us</sup>”.

“Roma, 25 Junii, 1791.”

“*Answers of Propaganda:—I. On Dispensations for Mixed Marriages. II. On Time of Visiting the LIMINA APOSTOLORUM.*

“Decretum Sac. Congnis de Propaganda fide, habita die 12 Aprilis, 1802.

“Quum nomine Archiepiscoporum, Episcoporum, et Vicariorum-Apostolicorum Magnæ Britanniæ, Sac. Congregationi de Propaganda Fide proposita fuerint tria quæsitæ, nempe.

“1. An Episcopi, Archiepiscopi, et Vicarii-Apostolici Magnæ Britanniæ qui facultatem habent a S. Sede apostolica dispensandi cum Catholicis in nonnullis Impedimentis matrimonialibus, iis facultatibus valide et licite uti possint in matrimoniis mixtis nempe dispensandi cum parte Catholica quæ parti acatholicæ nubere velit.

“2. An Episcopi Hiberniæ qui ex jurejurando in consecratione præstito debent S. S. Apostolorum limina singulis Decenniis visitare, et statûs propriæ Diœcesis relationem præsentare, initium decennii sumere debeant a die propriæ consecrationis, an primum decennium numerare a data constitutionis San. Mem. Sixti V. quæ incipit *Romanus Pontifex*, et sic deinceps.

“3. An dispensatio a S.S. Liminum visitatione a summo Pontifice Pio VI. die 7 Maii, 1798, Episcopis et Archiepiscopis Hiberniæ impertita,

cum clausula *quamdium præsentis temporis circumstantiæ perduraverint*, ad præsens cessaverit.

“E. Eñi Patres, referente R. P. D. Dominico Cappola Archiepiscopo Myrensi Secretario, respondendum esse censuerint.

“Ad 1. Negative, et supplicandum esse SSmo pro sanatione in radice omnium matrimoniorum quæ cum hujusmodi dispensationibus ad hæc usque tempora contracta sunt: eisque dandam esse instructionem anni 1774, ad Episcopum Culmensensem transmissam.

“Ad 2. Incipiendum esse primum Decennium a die constitutionis summo Pontificis Sixti V. quæ incipit ‘*Romanus Pontifex*.’ Si vero Episcopi circa ultimum decennii annum consecrati, visitationem explorare, ac relationem suæ Diocesis transmittere nequeant ab Apostolica sede proagationem expostulent.

“Ad 3. Prædictam dispensationem cessasse.

“Datum Romæ ex ædibus dictæ congregationis die 2 Octobris, 1802.

“S. CARD. BORGIA, PRÆF.

“DOMINICUS ARCHIEP. MYREN. SECRÆTUS.

The Sixtine Constitution was issued “13 Kal. Jan. 1585,” by which the bishops of Ireland were bound expressly to visit the Holy See every *fourth* year. They applied afterwards to be dispensed from this obligation because of their poverty, and the time was extended to ten years by an indult of the 10th of May, 1631. This period of ten years, according to the above decision, is to be computed from the 20th Dec., 1585.

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#### “Declaration of Irish Bishops on the Captivity of Pius VII.

“Eminentiss. ac Reverendiss. D. D. Episcopis, Presbyteris, Diaconis, S. Romanæ Ecclesiæ Cardinalibus. Illustriss. ac Reverendiss. D. D. Patriarchis, Archiepiscopis, Episcopis, Vicariisque Apostolicis, qui per orbem sunt, universis, Archiepiscopi et Episcopi in Hibernia.

“Quod in recenti et insperata calamitate nova remedia circumspicimus, quodque in his statuendis vestrorum universorum fidem et opem appellamus, vel ipsa per se nos temporum crudelitas, vel ea certe, quæ nos urget, charitas Christi defendet, vobis judicantibus, jam enim *tempus est, ut incipiat judicium a domo Dei* (1 Pet. iv. 17). Audiendæ sunt igitur nobis voces Dei et Domini nostri de extremis temporibus suorum; *Cum videritis abominationem desolationis in loco sancto, tunc qui in Judæa sunt fugiant ad montes. Orate autem, ut non fiat fuga vestra in hieme vel Sabbato. Si ergo dixerint vobis, Ecce in deserto est (Christus); nolite exire: ecce in penetralibus, nolite credere* (Matt. xxiv. 15, 16, 20, 25, 26). Scilicet recedendum esse paullisper discipulis suis monet, non a fide et expectatione salutis, sed a terrenis sedibus credentium ipsoque templo sancto, donec compleantur judicia Domini; orationibus exoptandum, ne fugæ et incolumitati viam aut temporum statæ leges aut religionum intercludant; ablatoque ex oculis magistro bono et Pastore, ne exinde auctoritatem suam captemus, ubi et errori vano et fœdis in-

sidiis exposita sunt omnia. Quod omnino Præceptoris summi oraculum ad hæc usque tempora propagatur. Siquidem et nos templum habemus, idq. nec impiis violabile, quo semel introivit Pontifex Jesus, Auctor sacerdotii nostri in suo sanguine testamenti æterni. Habuimus quoque terrenas sedes illarum cœlestium socias et imagines; leges etiam sanctas habemus, quibus respublica Christianorum omnis continetur, quarum legum summa et præcipua hæc est, ut Unum simus fide, sacramentis, charitate. *Hanc ut Christus Unitatem manifestaret*, (Cypriani Martyris vocem recognoscitis de Unit. Eccl.) *Unam Cathedram constituit, et Unitatis originem sua auctoritate disposuit; ut is qui Cathedram Petri, super quam fundata est Ecclesia, deserat, in Ecclesia non sit; qui vero Ecclesiæ Unitatem non teneat, nec fidem habeat.* Hanc quippe Unitatem, pro qua Patrem discessurus Dominus noster pietate Filii oravit, majestate Unigeniti exoravit, nec scelera hominum, nec vis belli, nec Regum imperia valent abrumpere, confirmante ipso Filio Dei nullis obnoxiam futuram mundi casibus, cum dixit, *Pacem relinquo vobis, pacem meam do vobis; non quomodo mundus dat, Ego do vobis* (Joh. xiv. 27). Igitur qui principalem hanc Unitatis in Christo originem eo usque depriment, ut nec libere nec sine fraude se exerceat, ii non tam legem et jura hominum abolere tentant, quam Christi in terris monumenta summamque Rei Christianæ spem exterminare e populis.

“Quod tamen recens factum esse vos non latet, Venerabiles Fratres, capto fœde et miserabiliter et in exilium carceremque abrepto Pio Papa Septimo, viro integerrimo, innocentissimo, sanctissimo: ut jam hinc aut sacrorum jus a libidine et insolentia militari accipiendum, aut obstandum sceleri tanto qua licet. Et sane ut intolerabile fuerit in Christiano senem domo, patria exturbare; Episcopum insontem affligere, Ecclesiam magistram patrimonio exuere, bene meritum contumeliis exagitare, adeo sunt nefaria, ut vix magis scelestum sit, Christum perjurio cepisse, vinctum conspuisse, patientem spoliasse, quæ atrocissimæ impietatis putantur; isthæc tamen recens ad omnes pertinet injuria a republica, quæ summam in Ecclesia, et publicam humani generis utilitatem obnoxiam sibi uni statuit, cogitque nos aut videri ab Unitate Catholica velle desciscere, aut hostibus Imperii Britannici morem gerere, quibus tum Christi admonitu, tum jurisjurandi fide, tum demum caritate patriæ, non solum consiliis et cohortationibus tenemur, sed et effuso sanguine et vita ipsa, si opus fuerit, obsistere; quod primum Christiani civis officium a nobis præstitum iri, testibus Vobis, Deo teste, sanctissime pollicemur. [MSSa nostra adeo mendosa sunt ut vix lectionem probabilem hujusce commatis conjicere potuerimus.]

“Quare de his actum in generali conventu nostro Dublinii habito, placuitque ita temperandas esse sententias, ut manifestum esset nos, et Ecclesiæ Unitati, Piique Septimi honoribus consuluisse, simulque iis quæ metuuntur periculis obviam ire voluisse. Porro hæc sunt quæ disputata, judicata, sancita sunt ad perpetuam rei memoriam.

“Quum sanctissimus et gloriosissimus Pius P. P. VII. jussu et vi militari nullo suo crimine abstractus a suis, in custodiam exulatus sit, metuendum est, ne solitudine et miseriis evicta ejusdem Pii mens impellatur, isque de officio suo, quod summum in Ecclesia tenet, coactus abeat, eique abdicationi quasi sponte et libere factæ nomen adscribere cogatur.

“Eas ob res Nos communibus sententiis, causa cognita, jam nunc



remittimus, abjuramus, detestamur, iidemque annullamus et ad omnem juris effectum, qui exinde sequi possit, cassamus Bullas sive genuinas sive prætensas, rescripta cujuscumque modi, literas in forma Brevis, etiam quæ ex mero vel proprio motu et certa scientia dicuntur, siquæ cessionem, remissionem, abdicationemve Papatus nomine Pii Septimi declarabunt, donec is ex hac quam tolerat captivitate in liberam officii jurisdictionisque conditionem restitutus fuerit, eaque recepta libertas, non cessionibus tantum, approbationibus, confirmationibusve, sed indubiis probationibus innotuerit.

“Et si Sanctissimus Dominus Pius P. P. Septimus ita, ut prædictum est, sub custodia etiam liberali cesserit, cessisseve visus fuerit, eam cessionem nullam esse, fuisse, futuram esse declaramus, annosque Pontificatus ejus solius continuandos, abdicatione remota.

“Quod si idem Dominus Pius P. P. Septimus in custodia, uti nunc est, vitam cum morte commutaverit, vacuum omnino censendam esse Sedem Apostolicam judicamus, donec plene et canonice Ecclesiis in Hibernia constiterit de legitima, sancta, et liberrima summi Pontificis electione.

“Hæc judicamus et pronunciamus in nomine Domini Nostri Jesu Christi, et in Unitate Spiritus ejus, et in fide Ecclesiæ Catholicæ.

“Quæ a nobis constituta videtis eo pertinere, non ut Sedis Sanctæ prærogativam, quæ in Ecclesia primas obtinet, subvertamus, sed auctoritatem perpetuam ab injuria et infamia vindicemus, neve ea, quam Christus in Ecclesia sua fundaverat, Unitatis conciliatio per tyrannicas fraudes rapiatur ad eversionem fidei et pacis publicæ, cum summo Apostolicæ Sedis dehonestamento. Itaque judicium nostrum Vestræ Fraternitati commendamus, petimusque pro Christo et pro corpore ejus, ut si minus exemplum sequi rationes vestræ sinunt, orationum auxilia præstetis. Valet in Domino, Eminentissimi Domini, Venerabiles Fratres.

“Actum Dublinii in Conventu Generali Episcoporum Hiberniæ, 111 Kal. Mart. Anno Sal. MDCCCX. Pontificatu D. N. Pii P. P. VII. decimo.”

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#### REVOCATION OF FACULTIES.

“Illustrissimis ac Reverendissimis D. D. Patriarchis, Nuntiis, Delegatis, ac Vicariis-Apostolicis, Archiepiscopis, Episcopis, ac Missionum Præf. Salutem in Domino.

“Benedictus Deus, Pater misericordiarum et Deus totius consolationis, qui in sævissima persecutione a principe tenebrarum adversus Christi Ecclesiam, ejusque visibile caput, concitata, illam a fauce leonis eripere dignatus est, optimumque pastorem, exemplum fortitudinis, speculum sanctitatis, ac strenuum Fidei propugnatorem, Apostolicæ suæ sedi restituere. Equidem non latere vos arbitror acerbissimas ærumnas quas SSmus D. N. Pius Papa VII. ad Orthodoxam tuendam fidem, et Ecclesiæ jura, novissimis hisce temporibus perpessus est: post multas enim patientissimè latas injurias ac contumelias, demum suo principatu spoliatus, vi et armis a sede sua sacrilego et nefario scelere avulsus, huc illuc ingemiscentibus omnibus traductus est, atque in molestissimo exilio detentus, nulla habita ejus vel dignitatis vel valetudinis ratione. Duris-

sime quoque habiti sunt S. R. E. Cardinales, Præsules, ac spectatissimi cujusque generis viri, in captivitatem, et in exilium ducti. Quidquid tandem religionem spectabat, miserandum in modum eversum est; tribunalia enim Ecclesiæ aboletæ, tabularia vi sublata, et omnia quæ ad illius regimen, ac stabilitatem erant instituta, ita pessumdata sunt, ut Romanæ Ecclesiæ omnium Ecclesiarum matri et magistræ, et propterea Ecclesiæ universæ extremum veluti exitium impendere videretur. At Deus exercituum qui illam regit, ac moderatur, qui pollicitus est portas inferi adversus eam nunquam esse prævalituras, qui demum tanquam bonus agricola vineam suam quandoque putat, ut uberiores fructum afferat, recordatus tamen misericordiæ suæ, illam a concilio malignantium, et a multitudine operantium iniquitatem dextera sua liberavit, arcum contrivit et confregit arma, misit sagittas suas et dissipavit eos. Illuxit igitur felicissima illa dies qua Sanctissimus Pater Ecclesiæ hostibus fide et constantia sua alacriter devictis in libertatem mirabili et divino prodigio est restitutus, ac ix kalendas Junii ad Petri Sedem, incredibili non modo Romæ universæ, sed omnium populorum quorum regiones antea peragraverat, plausu, gratulatione, et lætitia, faustissime remeavit. Cum eo reversi sunt etiam S. R. E. Cardinales ceterique exules; et omnia quæ lapsa jam fuerant, in pristinum statum sunt restituta. Jubilemus itaque Deo in voce exultationis, eique juges agamus pro tanto beneficio gratias; quoniam sicut abundaverunt passiones Christi in nobis, ita et per Christum abundat consolatio nostra; omnique studio conemur ut Ecclesia Dei, expurgato veteri omni fermento, evulsisque vepribus qui germinarunt, magis magisque gloriosa refulgeat, atque undique dilatetur.

“In hoc maxime et Sanctitatis Suæ, et Sacræ hujus Congregationis de Propaganda Fide, quæ in partem ejus pro religionis conservatione et incremento laborum vocata est, cura omnis, ac sollicitudo versatur. Cum vero Eñno ac Rño Dño Card. de Petro qui eidem Sanctæ Congregationi præfectus erat, quique hoc ministerium tanta cum laude gessit, majoris Pœnitentiarii munus impositum fuerit, placuit SSmo Domino nostro me illi sufficere, atque in Præfectum hujus S. Congregationis constituere. Licet autem hoc tantum onus impar meis viribus esse sentiam, tamen illud divina opitulante gratia, omni plane sedulitate ac studio explere conabor: proindeque vos etiam atque etiam rogo ut vestra opera me adjuvetis in iis quæ ad concedendas vobis Ecclesias sive missiones pertinent, ut collatis simul studiis id præstare possimus quodquod religionis bonum atque incrementum postulet. Hac ipsa de causa cupio ut plenam Ecclesiarum vel missionumstrarum relationem mihi mittendam curetis, in qua tum de illarum statu, ac necessitatibus, tum de ministrorum, et Catholicorum numero, ac qualitate, tum denique de abusibus qui forte irrepserunt ac de providentiis quæ afferri possint me certiores faciat.

“Et quoniam in novissimorum temporum perturbatione complures literæ perierunt, ac forte etiam illæ quæ Sacræ Congregationi a vobis, vel vobis a Sacra Congregatione scriptæ sunt, grave vobis haud sit eas iterum mittere quibus nullum accepisti responsum; tunc enim vel exemplum mittam earum responsonum quæ datæ fuerant, vel respondebo si huc priores vestræ literæ non pervenerunt. Ut autem posthac satis cognosci possit num aliqua epistola deperdita sit, statuendum putavi ut ab hac die singulæ epistolæ numerentur. Præsens hæc numerum primum præfert,

ceteræ subinde consecutivis numeris notabuntur; idemque faciatis oportet de literis vestris; sic enim facile intelligetur, num aliqua interjecta epistola defuerit.

"Memores autem vos esse puto jam ab anno 1808 ob interclusam communicationem, difficilemque aditum ad S. Sedem, prorogatas vobis fuisse ad indefinitum tempus consuetas vestras facultates cum aliquarum aliarum ampliacione, donec scilicet impedimentum hujusmodi esset duraturum, et quousq. eæ facultates non fuissent ab Apostolica sede revocatæ. Nunc igitur quoniam singulari Dei beneficio patefactæ sunt viæ, liberque patet ad S. Sedem accessus, SSmus Dñus Nŕter revocat, ac desiisse declarat facultates omnes tum consuetas, tum præter ordinem quæ vobis ab illo concessæ fuerant, jubens ut res ad pristinum statum redigatur. Vestrum igitur erit veterum facultatem renovationem quantocius postulare; ac tantum sinit Sanctitas Sua ut novissimis facultatibus tamdiu utamini quamdiu ad vos nova concessio pervenerit; in quo conscientia vestra graviter oneratur.

"Quod reliquum est vos etiam atque etiam in Dño hortamur ut quoniam Ille adeo propitium se præbuit Ecclesiæ suæ, ut eam ex aborta procella mirifice servare, et novo quodam splendore illustrare voluerit, ita et vos omni studio curetis, ut ad populos vobis creditos divini hujus ac tanti beneficii uberrimus fructus perveniat, efficientes quantum in vobis est ut quod destructum reedificetur, quod inordinatum iterum componatur, quod denique corruptum ab omni labe purgetur, noxiæque zizania, quæ inimicus homo superseminavit in medio tritici, penitus evellantur. Vos ipsos in omnibus præbete exemplum bonorum operum in doctrina, in integritate, in gravitate, sollicitè curantes vos ipsos probabiles exhibere Deo, operarios inconfusibiles, recte tractantes verbum veritatis. Ac fore confidens ut Dominus Deus laboribus vestris gratiam atque incrementum sit præbiturus, eundem enixe precor ut vos diutissime servet et sospitet.

"Romæ ex ædibus Sacræ Congregationis de Propaganda Fide die 15 Junii, 1814.

"Ad officia paratissimus,

"L. CARD. LITTA.

"J. B. QUARENTOTTI, Sec<sup>rus</sup>."

## APPENDIX D.

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### STATUTES OF TUAM.

The earliest council of the province of Tuam which I find among Dr. Renehan's papers is that presided over by Dr. Malachy Quæly in 1631. The decrees there enacted are frequently referred to in the acts of succeeding synods, which make no mention of another provincial synod of Tuam held in 1632, and now published

for the first time in Dr. Moran's "*Memoirs of Primate Plunkett, additional notes*, p. 386. Nor is there the least trace of similarity between both synods, so that we might suppose one gives the text sent to Rome, and the other the text approved there. The decrees, in truth, regard quite different subjects, and bear no marks of a common origin, except, *perhaps*, in the list of feasts (see p. 506 *inf.*). I confess myself, therefore, unable to explain how the synod of '31 is so often quoted, and the synod of '32, though sanctioned by the S. Cong., not more distinctly alluded to in subsequent decrees.

I give these synods without the least change from the MS., merely observing here that for the doctrine and discipline contained in them, the prelates who drew them up are alone responsible, for it does not appear that they were ever approved in Rome. The prelates, assembled at the councils of 1640 and 1660, do indeed refer to the acts of 1631, as having received the sanction of the Holy See, but how can we ascertain that the text given here faithfully represents the corrected statutes?

"*Decreta et Statuta Ecclesie archiepiscopalis Tuamensis, et ab omnibus ejusdem metropolitane sedis suffraganeis pro omnibus et singulis suis respective diocesisibus acceptata, Anno Domini 1631.*

"1. Usus lacticiniorum commutative permittitur in quadragesima, prima et ultima feria quarta et ultima feria sexta exceptis, neque tanquam peccatum scrupulose imputetur comestio casei cum aliis lacticiniis.

"2. Nulli Catholici decimas emant nisi de Ordinarii licentia et eorum, quorum interest, quibus vigesimam impensi pretii partem applicare tenentur.

"3. Prohibentur ululatus in defunctorum exequiis. Nec sponsæ ad sponсорum domos temporibus vetitis a jure traducantur sub pœnis gravibus Ordinarii arbitrio respective locorum infligendis.

"4. Nulli in posterum ad sacros ordines promoveantur nisi maxima urgente necessitate, et hoc servatis interstitiis, a S<sup>c</sup>. C<sup>o</sup>. Tridentino observari mandatis sub gravissimis pœnis.

"5. Testamentorum et piorum legatorum dispositio, executio, et administratio regenda est ex S<sup>c</sup>. C<sup>i</sup>. Tridentini ordinatione; necnon omnia in pios usus indeterminatos relicta, dispositioni et distributioni Ordinariorum subijciantur.

"6. Singulis instituantur in diocesisibus relatores, quorum erit referre occurrentia memoriæ digna relatori generali provinciae.

"7. Quilibet Ordinarius in sua proxima synodo diocesana omnes parochorum licentias confessiones audiendi et sacramenta administrandi revocet, nec postea censeantur admissi vel approbati pastores nisi qui instrumento scripto docere et fidem facere possunt de sua legitima ab ordinariis resp<sup>a</sup> locorum admissione.

"8. Parochis districte præcipitur ut nullas admittant dispensationes ab ullis aliis episcopis, prelatiis, aut missionariis, sæcularibus aut regularibus, nisi consultis Ordinariis locorum propriis sub pœna suspensionis ab officio et beneficio, et aliis gravibus pœnis ab Ordinario offenso infligendis.

"9. In viridi observantia observetur statutum quo decernitur legata

decidentium non solventes posse et debere per censuras ecclesiasticas ad eorum solutionem compelli.

"10. Incessu honesto utantur sacerdotes, vagabundos et otiosos in itinere aut conviviis sibi non associant, uno equo et duobus ad summum famulis contenti sint.

"11. Sacerdotes qui taxillorum, alearum, aut chartarum lusui addicti sint, quod lusu obtinebunt restituere teneantur: quicquid eorum lusu perdidierint collusoribus reddant, insuper et ipsi ad arbitrium Ordinarii toties quoties mulcentur.

"12. Nulli quæstores in provincia Tuamensi admittantur, si sæculares sint sine Ordinariorum litteris, neque etiam regulares si litteras suorum superiorum non habuerint.

"13. Imagines obesæ et aspectui ingratae recondantur in loco convenienti, per pastores resp<sup>o</sup>. locorum, ita ut constet per literas registratas ubinam fuerint reconditæ, et cujus erant tales.

"14. Sit correspondentia omnium festorum in tota provincia Tuamensi, exceptis patronorum festis: delinquentes hac in parte arbitrio Ordinariorum resp<sup>o</sup> puniantur in quinque sol. toties quoties.

"15. Recipimus bullam ss<sup>m</sup>. Dñi Pauli P. Quinti, incipientem '*Exponi nobis nuper fecerunt nostri filii dilecti incolæ regni Hybernæ &c.*' sub data die 28 Martii, Anno Domini 1607, in qua conceditur nobis incolis hujus regni Hybernæ posse satisfacere præcepto de communionem paschali, a feria quarta cinerum ad ascensionem Domini inclusive: caveant tamen pastores a præscripto juris communis de communicando a dominica palmarum usque ad dominicam in albis non recedere sine causa; aliter facientes sciant se puniendos arbitrio Ordinariorum.

"16. Sacerdotes qui intra quindecim dies post sacri olei confectionem, sua vasa non eodem impleverint Ordinarii arbitrio puniantur, et hoc oleum solum clerici ad eos gestare audeant.

"17. Nemini liceat reliquias aut indulgentias exponere aut promulgare sine Ordinarii licentia speciali, et approbatione; quod qui neglexerint, sciant se puniendos.

"18. Omnes et singuli hujus provinciæ Tuamensis eodẽm rituali Romano Pauli Papæ V. utantur.

"19. Ut occurratur malo quod sæpe evenit ex lectione librorum prohibitorum, mandamus ut nullus eosdem legat sine licentia auctoritatem habentis a sede Apostolica talem licentiam concedendi, et ostendendam in scriptis Ord<sup>i</sup> loci.

"20. Statuitur quod Ordinariis resp<sup>o</sup> locorum solvatur quarta pars funeralium et mortuorum juxta canonum præscripta.

"21. Nullus parochus a suo præcinctu discedat sine licentia Ord<sup>i</sup>. aut Vicarii foranei, et substituto in suo loco sacerdote approbato, nec etiam ultra tres dies absit cum Foranei licentia a cura sua.

"22. Singuli sacerdotes manuale sacramentorum, pixidem argenteam, missale, breviarium, catechismum, aliquam summulam casuum conscientiæ, calicem argenteum, paramenta nitida, togam, superpelliceum, et pileum quadratum habeant.

"23. Quoties Parochus a loco in locum suam intra parochiam transmigret, catechizet tota coram familia aliquos illius domus in qua pernocabit in oratione Dominica, ecclesiæ præceptis, ac decalogi, et symbolo

fidei quod similiter diebus dominicis et festivis coram populo facere tenentur.

"24. Singulis diebus festivis recitent parochi litanias beatæ Mariæ vel Ssorum, pro felici regimine ecclesiæ, pro serenissimorum regis et reginæ nostrorum incolumitate, ordinariorum zelo, ac reipublicæ veris zelatoribus.

"25. Non admittant parochi vagos sacerdotes ad missæ celebrationem aut alterius sacramenti administrationem nisi prius visa Ord<sup>i</sup> licentia.

"26. Sacerdotes nundinas et tabernas evitent necnon mulierum suspectarum consortium sub pœna suspensionis ab officio, et beneficio, imo et privationis: præterea fugiant disputationes cum Protestantibus, contentiones omnes et comparationes quascunque, et promiscua convivia, nec unquam extra parochiam præsumant ad exequias defunctorum, non invitati accedere; toties quoties quinque solidis mulcentur.

"27. Conveniat quilibet sacerdos suum confratrem singulis quindecim diebus, et ei peccata sua confiteatur: nec presumat extra suam parochiam ullum administrare sacramentum nisi de licentia Ordinarii aut pastoris loci et hoc intra propriam diœcesin.

"28. Pastores singulorum decanatum requisiti convenient suum Foraneum ad suum beneplacitum singulis mensibus, tam ad conferendum in aliqua casuum conscientie materia, quam etiam ad omnia proponenda ad eundem decanatum pertinentia et conducentia; licetque Foraneo in contrarium delinquentes mulctare.

"Foraneumque certiore faciat unusquisque se a 15 diebus confessum fuisse.

"29. Nullus sacerdos parochialis aliquid petere vel exigere audiat a suis parochianis, nisi honestæ sustentationis subsidium; pro labore autem in sacramento Matrimonii administrando 2 sol: in sacramento Baptismatis administrando 1 sol. et non amplius; pro salario autem intuitu laboris exantlati pro sua et nostra sustentatione pro totius anni cursu quatuor testilia quolibet pari conjugum accipiant; a pauperibus autem nihil exigant, et ad dicta vel alia subsidia recuperanda non accipiant pignora nec vim ullam imperent.

"30. Nullus parochus matrimonium solemnizare attentet, nisi ante contractum constet per duos ad minus testes omni exceptione majores, nullum subesse canonicum impedimentum, præsuppositis autem semper denunciationibus juxta præscriptum S. C. Tridentini,

"31. Statuitur quod ex bonis sacerdotis ex hac vita decedentis quatuor relinquantur libræ Anglicanæ monetæ Ord<sup>i</sup> loci, aut eorum valor juxta electionem ipsius Ordinarii: necnon vestimenta dicti sacerdotis, nempe——, item pixis, et oblationes quæ fiunt in exequiis eorum sacerdotum Ordinariis resp<sup>t</sup> locorum reddantur.

"32. Stat<sup>r</sup>. quod Parochi in morte notabilis alicujus personæ convocent suos Foraneos qui morti et testamento ejus intersint, vel saltem iis ultima ejus voluntas communicetur.

"32. Statuitur quod parochi singuli præsentent testamenta coram ipsis condita Ordinario resp<sup>t</sup> locorum approbanda, et maxime notabilium personarum.

"33. Statuitur ut quicumque revelabit ullum capituli secretum, per annum voce activa et passiva privetur.

"34. A sacramentis ejiciantur qui dicuntur apparitores—seu—in-formers.

"35. Statuitur etiam quod pro quocunque episcopo comprovinciali, vicario-generalis aut apos<sup>o</sup> defuncto, quilibet episcopus aut vicarius-generalis superstes quinque Missas de requiem cum officio defunctorum celebret per totam provinciam, et quilibet sacerdos per totam provinciam duas tantum Missas pro eodem defuncto celebret: pro quovis vero sacerdote defuncto quilibet sacerdos ejusdem Diocesis quinque Missas celebret.

"36. Quia solet in quæstionem verti cum parochianus unius parochiæ in alia ecclesia parochiana sepeliatur cuinam debentur oblationes pro defuncto exhibitæ, statuitur quod inter utrumque parochum hujusmodi oblationes ex æquo dividantur.

"37. Noverint parochi sibi non licere vagorum hominum matrimonio interesse nisi re ad Ordinarium delata, et ab eo id faciendi licentiam in scriptis obtinuerint, neque ea licentia sine causæ cognitione et matura discussione detur.

"38. Curent parochi ut pauperes cujusque parochiæ inter ipsius ambitum alantur extraneis exclusis; et omnes stultitiæ simulatores et simulatrices turpis lucri gratia expatiantes abigantur, claudi etiam ac cæci stricte examinentur de suspectis mulieribus eos comitantibus.

"39. Singuli in hac Synodo existentes teneantur intra unum mensem tres Missas dicere pro felici statu horum regnorum, incolumitate serenissimorum regis et reginæ nostrorum, et pro benefactoribus nostris in hoc oppido.

"40. Nullus sacerdos mulieres comitetur cujuscumque notæ sint extra suam parochiam aut peregrinandi aut subsidii petendi intuitu, nisi de licentia sui Ordinarii: præterea nullus sacerdos feminam secum ducat in equo suo.

"41. Nullus sacerdos aut regularis aut sæcularis comitetur in via aut conveniat in aliquorum ædibus prælatos durante schismate, et singuli sacerdotes singularum diocesium inter Missarum solemnias hæc suis subditis intiment tribus diebus festivis; excipe pastorem loci.

"42. Singuli sacerdotes curent pravam jurandi consuetudinem eradicare; quam in ipsis invenient, fere omnes amplectuntur, et se ab iis igitur juramentis caute abstineant; aliter facientes sex denariis mulcentur.

"43. Decernimus quod singuli sacerdotes parochiales tres libros papyreos habeant aut unum trium instar, in quo registrabunt nomina baptizatorum, matrimonio conjunctorum, et defunctorum; præterea quod quilibet habeat semper ad manum papyrus et atramentarium cum atramento bene provisum; aliter facientes quinque solidis mulcentur pro quolibet libro deficiente.

44. Nullus inducat in possessionem ullam bullaturam in aliqua diocesi nisi ostensa prius bulla Ordinario loci.

*" Per modum Appendicis hæc quæ sequuntur præcedentibus adjicimus.*

"1. Sacerdotes confessarii nunquam aut rarissime suos pœnitentes gravent pœnitentiis pecuniariis, quas nunquam sibi ipsis applicabunt.

"2. Moneantur sacerdotes omnes ut nihil addant aut detrahant missæ, officium divinum distincte et devote recitent, caveant a sufflationibus in-

decentibus in consecrando hostiam et calicem, pallas habeant linteo obductas, et corporalia ex linteo mundo et sine crucibus in medio composita.

"3. Legat quilibet sacerdos rubricas tam missalis quam breviarii, ad minus singulis semestribus: examinent singulis noctibus suas conscientias, Deo agentes gratias pro beneficiis universalibus et particularibus ab eo acceptis, de peccatis commissis dolentes, et proponentes in posterum visæ salutis inhærere, et ita doceant sibi subditos singulis in confessionibus.

"4. Nullo modo negent confessiones audire frequenter confitere ventium, ne in laqueum incidant ipsi, et confitentium fervor minuat.

"5. Caveant a terrarum impignoratione, et nullo modo dent pecunias ad lucrum: sit unus omnium modus Deo agendi gratias in mensa, et hoc sine aliquo prologo aut epilogo.

"6. Ut simus omnes in ecclesiæ cæremoniis uniformes quas immutare nulli fas est privato, examinentur omnes confratres per foraneos suos in his, ut fiant uniformes juxta ecclesiæ statutum.

"7. Clerici canes non retineant, crines nec nutriend, et patronorum ecclesiarum suarum parochi investigent nomina.

"8. Aqua benedicta sit in singulis ædibus in quibus sacerdotes pernctabunt, et toti familiæ detur.

"9. In quolibet decanatu cum vicario-foraneo sit procurator fiscalis cujus erit vi juramenti referre Ordinario gesta confratrum in illo decanatu.

"10. Sciant violantes castitatem sese privandos esse officio et beneficio in hac provincia Tuamensi ad septennium.

"11. Commode valentes singuli sacerdotes Missam quotidie celebrent.

*"Supra scripta decreta et statuta*

"Acceptata fuerunt per suffraganeos provinciæ Tuamensis tempore Concilii Provincialis habiti Galviæ, 1631, præside Illuſſmo ac Rev<sup>mo</sup>. D.D. Malachia Quælio Tuſſſi Archiepiscopo et Connaciæ Metropolitano.✠

"Summa actuum, decisionum, et statutorum synodi provincialis Tuamensis apud Galviã inchoatæ die vigesimo-primo 9 bris, Anno Domini 1639, per aliquot dies continuatæ ac tandem in 22<sup>o</sup> Julii anni sequentis prorogatæ.

"1. In hac sacra synodo lecta sunt statuta ultimi concilii provincialis Tuamensis, habiti Anno Domini 1631, postquam Sac<sup>a</sup>. Cong<sup>a</sup>. cardinalium Concilii Tridentini interpretum auctoritate recognita et approbata sunt, quæ ab omnibus hac synodo congregatis acceptata sunt.

"2. Lectum est Decretum Sacræ Congregationis de Propaganda Fide circa apponendam clausulam in literis expediendis per concessum in Dataria Brevium pro ordinandis extra tempora, quod decretum acceptum fuit ab omnibus ibidem existentibus Prælatibus.

"3. Lectum et acceptatum fuit decretum Sacræ Congregationis C. Tridentini de præcedentia cleri secularis ante clerum regularem in officiis defunctorum quæ fiunt intra fines parochiarum in domibus privatis, etiamsi corpora defunctorum sepelienda essent in ecclesiis regularium, quod decretum intimandum esse superioribus regularium ordinavit hæc sacra synodus; in qua statuitur pro tota provincia; (viz.)

"1. Ne pastor ullus aut sacerdos nisi q<sup>do</sup> extra suam parochiam cum



proficisci oportebit, tabernas audeat ingredi sub pœna suspensionis ipso facto incurrendæ, neque ad nundinas accedere sine Ordinarii licentia pro qualibet vice in scriptis obtinenda.

"2. Hæc statuit sancta synodus parochianos teneri de jure divino suos sustentare pastores, ac proinde eos adhortatur dictos parochos diebus præsertim dominicis et festivis quibus celebraverint invitare ad refectionem tam diurnam quam nocturnam per vices, item decernit nobiles et alios terrarum possessores teneri ad exigendum a suis inquilinis aut tenentibus pastorum stipendia, suosque cogere debere ad ejusmodi stipendia solvenda, quæ quoque ipsimet nobiles impendere non recusent pro seipsis, juxta statutum ultimi concilii provincialis habiti A.D. 1631.

"3. Synodus declarat et decernit non debere regulares se gerere tanquam parochos in domibus nobilium intra fines parochiarum, neque Missas bis celebrare etiam diebus dominicis aut festivis, quando parochialem curam non gerunt, aut alias ad id licentiam non habeant: item decernit regulares non debere assistere ullorum testamentis condendis, nisi ad id specialiter sint deputati ab Ordinario aut pastore loci: decernit etiam non licere religiosis ipsis sacramentum Eucharistiæ administrare ullis Parochianis tempore præcepto cum contemptu parochi, sed ipsos oportere licentiam ad id habere ab Ordinario vel paroco loci, maxime tempore dicto paschali, quo tempore hæc Sancta Synodus decernit omnes parochianos communicare debere de manu pastoris proprii, sive alterius de ejusdem pastoris licentia: similiter etiam decernit omnes parochianos qui non sint confessi suo proprio pastori tempore præcepto debere significare et ostendere suo pastori cuinam fuerint confessi, et hoc sub chirographo dicti confessarii qui necessario debet esse approbatus ab Ordinario loci et pastori notus, alias ad com<sup>m</sup> paschalem non admit-tendus esset.

"4. Hoc sacrum concilium statuit et decernit quod media pars oblationum spontanearum in funeribus aut exequiis defunctorum, qui sibi elegerint sepulturam in monasteriis aut ecclesiis regularium, cedat loco sepulturæ sibi electo, et alia pars proprio defuncti paroco, etiamsi oblationes fierent in ipsis monasteriis aut eorum portis. Hoc autem decretum et statutum est studio pacis conservandæ inter utrumque clerum sæcularem et regularem, salvo jure utriusque partis, et donec hæc quæstio de oblationibus in funeribus defunctorum factis decisa fuerit in curia Romana.

"5. Per hanc synodum declaratur et statuitur nullum jure deferri debere ad sepulturam extra aut intra parochiam inscio et non vocato paroco.

"6. Hæc sancta synodus statuit et decernit quod in criminibus incestus et usuræ præter alias in jure pœnas absolutionem reservari debere loci Ordinario.

"7. Patres in hoc sacro concilio congregati declarant et censent quod oblationes quæ fiant domibus nobilium in solemnitatibus majoribus, utpote in nativitate Domini, paschali, &c. non regulari aut sacerdoti externo ibidem celebranti, sed proprio pastori loci cedere debeant.

"8. Matrimonium clandestinum celebrantes aut ineuntes talique illicito contractui astantes arbitrio Ordinarii severe puniantur.

"9. Visum est huic st<sup>m</sup> synodo decerni debere quod Ordinarius loci

tantum exigit ab hæredibus intestatorum defunctorum, nihil demandantium in pia opera, quantum sibi permittunt sacri canones et facultates defuncti; ex bonis autem illorum, qui testamentum condiderunt, et nihil pastoribus legaverunt, hæc st<sup>a</sup>. synodus statuit juxta antiquam et laudabilem consuetudinem, dictum pastorem posse et debere ex bonis ejusmodi defuncti exigere duas uncias argenti, necnon ordinat quod Ordinarii locorum procurent ut uxorum testamenta circa pia opera sortiantur effectum.

"10. Ut occasio dubitandi, quæ sit auctoritas vicariorum-foraneorum, in hac saltem provincia auferatur, hæc st<sup>a</sup>. Synodus dicit eos non habere plus potestatis auctoritatisve quam Ordinarius loci ipsis concedere et largiri volet, quod si contigerit eosdem proficisci extra suum decanatum ad negotia communia dicti decanatus exsequenda et tractanda, hæc st<sup>a</sup> synodus statuit quod non propriis sed communibus expensis decanatus hoc peragant prout Ordinario loci æquum videbitur.

"11. Hoc sacrum concilium statuit et decernit jejunium Quadragesimale et abstinentiam in feriis sextis per annum circa usum lacticiniorum dispensative commutata in alia pia opera ex indulto sedis apostolicæ, et juxta ordinationem episcoporum seu eorundum deputatorum, tanti esse valoris quoad satisfactionem præcepti aut consuetudinis introductæ aut approbatæ ac ipsum jejunium et abstinentia: necnon contrarium asserere præsumptuosum aut erroneum: et quod dispensatio hac in parte competat solum episcopis seu eorum vicem gerentibus.

"12. Hæc st<sup>a</sup> synodus statuit decernit et mandat quod in posterum per totam provinciam præter pastores locorum in suis resp<sup>a</sup> parochiis, vel eos qui peractis alibi studiis approbati fuerant et hic admissi, nullus secularis aut regularis sacerdos qui prius non examinatus per examinadores deputatos aut deputandos et postea approbatus in scriptis per Ordinarios resp<sup>a</sup> locorum audeat sæcularium audire confessiones: propterea post publicationem hujus statuti, quæ fieri debet quam primum commode potest, eidem concilio visum est revocare sicuti de facto revocat omnes licentias seu facultates quas aliquis Ordinarius in sua diœcesi concesserit ante celebrationem hujus concilii pro absolutione casuum reservatorum sive ipsismet Ordinariis sive sedi apostolicæ.

"13. Hæc Sancta Synodus vult et suadet juxta antiquam et laudabilem consuetudinem quemlibet pastorem habere debere inter paramenta altaris tabulam pacis sive illa populo detur osculanda sive non. Etiam monet et vult libellum sancti Joannis non esse utendum aut a pueris portandum; similiter dicit nullum laicum impedire debere quo minus fiant opera pia.

"14. Sacrum hoc concilium declarat et dicit tenentes decimas, etiamsi firmarii sint Catholicorum, teneri ad obtinendam dispensationem a prælato facultatem ad id habente, si locatores dictarum decimarum, quas ipsi firmati sunt, non fuerunt sufficienter ex illa parte antea dispensati: utatur tamen Ordinarius aut quisquis alius prælatus discretione secundum temporum conditionem.

"15. Sacra hæc synodus declarat et censet nullum pastorem amovendum esse a suo beneficio et cura ad instantiam cujusvis laici, nisi interveniente aliqua et legitima canonica causa.

"16. Sacrum hoc concilium vult et monet curam animarum nullibi

esse negligendam aut remittendam etiamsi oporteret titulati parochiam dividi ob populi commoditatem; hujusmodi tamen divisionem monent patres hujus Synodi non esse intentandam nisi de titulati assensu.

"17. Resolvit hoc concilium duos solidos qui quotannis dantur pro collationum expeditione non debere Ordinario reddi, sed ejus secretario, aut cui Ordinarius velit. Item quod spondentes patrimonium ordinandis possent ad id dandum compelli per censuras Ecclesiasticas, et quod Ordinarii locorum inter visitandum sua utantur discretionem secundum antiquos canones: item quod ad clericum parochialem attinet, dicit servandam esse antiquam consuetudinem Hybernæ, neque ullum amovendum esse vel impediendum ad laicorum nutum, sed pastoris loci: item resolvit quartam funeralium dandam esse ex omnibus obvenientibus ratione funeris, viz. piorum legatorum, oblationum spontanearum et cæterorum hujusmodi: item quod laici debent se conformare clero ex debito obedientiæ quoad statuta ecclesiastica; item denique censet quod non teneantur fideles ultra tria milliaria proficisci ad missam audiendam festivis diebus.

"18. Hæc st. synodus decernit et declarat assistentes illicitis contractibus matrimonialibus, si sacerdotes sint juxta juris exigentiam suspensos esse ipso facto ab officio et beneficio, præter alias poenas arbitrarias juxta gravitatem offensæ; et si laici, eos interdicto subjacere ecclesiastico usque ad condignam satisfactionem.

"19. Sacrum hoc con<sup>m</sup>. interdicat et prohibet mendicationem in primis Missis novorum sacerdotum, sive sæculares sive regulares sint; item sub pena quinque solidorum pro singulis vicibus interdicat ne cleri barbam aut crines nutriant, et hanc mulctam remittere non potest ordinarius; item ne sponsalia fiant nisi de consensu parentum et adhibitis idoneis testibus; item statuit ut sacerdotes inter se et regulares summam foveant unionem, pacem et charitatem, neque male et detractive loquantur de suis parochianis, neque ullam præbeant ansam protestantibus male sentiendi de ecclesia; item statuit quod pastores non ludant ultra unum solidum eodem die sive lucentur sive perdant: item statuit quod sponsi non vivant communiter et in eadem domo et mensa ante nuptialem benedictionem. Item statuit ut quod alias statutum fuit circa lectionem rubricarum missalis et breviarii observetur, et quod nullus sacerdos præter pastores locorum astantibus indicet precibus post missam aliquid addere aut diminuere ad libitum. Item statuit quod nullus celebrans Missam et gratiarum actionem, neque aut prædicans coram episcopo benedictionem populo impendat, sed hoc ipsi episcopo ob reverentiam relinquat, sicque explicuit hoc concilium provinciale Tuamense, die 23<sup>a</sup> Julii, Anno Domini 1640.

"Huic sacræ Synodo interfuere, Actisque ipsius ac statutis subscripserunt:—

"Illustr<sup>mus</sup> MALACHIAS, Archiep<sup>us</sup> Tuam<sup>e</sup> et Concilii Præses.

"Illustr<sup>mi</sup> Frater BÆTIUS EGAN, Elphinensis,

"JOANNES DE BURGO, Clonfertensis,

"Frater OLIVERUS DE BURGO, Duacensis et Concilii Secretarius.

"D<sup>r</sup> JACOBUS FALLON, Accadensis, } Vicarii Apostolici.

"D<sup>r</sup> ANDREAS LYNCH, Alladensis, }

"Interfuit D<sup>r</sup> Cornelius Killen, Abbas Commendatarius de Conga, cum

Procuratoribus singularum Diœcesum ex tota Provincia; similiter Do<sup>r</sup>. Walterus Lynch, et Do<sup>r</sup>. Joannes Lynch, gerentes se respective pro Decano et Archidiacono Tuamensibus.

“NOTA.—Primi 5 Canones hujus Summæ Actuum 1639, sicut et 7<sup>ma</sup> 12<sup>ma</sup> et 13<sup>ma</sup> omnino desunt in exemplari a Concilio de Ball exscripto anno 1752, quod omnia præcedentium Conciliorum Provincialium Acta typis quantocius imprimi mandavit, simul cum Actis ‘Summæ Compendiosæ’ subsequentiis. Illud exemplar tamen continet sequentem Canonem hic deficientem in hac præsentè summa. Viz.

“Nulli sive sæculari sive regulari Sacerdoti Missarum binationem eodem die repetere licet, nisi ex illis unam in capella Parochiali celebraverit, [cui anno 1752 additum est] vel conventuali, nec pro quolibet loco, sed ubi gravis necessitas tulerit, et ad breve tempus licentia a quocunque Ordinario concedatur, idque in scriptis.”

*“Summa Compendiosa Actuum et Constitutionum Synodaliū Cleri  
Tuamensis Provinciæ, A.D. 1658.*

“1. Continuatio acceptionis Con: Trid<sup>ni</sup> jam antea habitæ in Synodo Provinciali Tuamensi sub beatæ memoriæ Malachia Quælio Archpō Tuamensi, Anno Dom<sup>i</sup> 1631 rata habetur, excepto Decreto irritante matrimonium ob defectum præsentis parochi cum testibus, de quo Cap: 1<sup>o</sup> ss. 24<sup>a</sup> de reformatione Matrimonii, quod non observatur in Diœcesibus Tuamensi, Cluanfertensi, et Duacensi.

“2. Relaxatio juris Ecclesiastici non fiat, neque dispensatio sine legitima et rationabili causa concedatur, ut monet tenor Cap. 18, ss. 25 in Trid<sup>no</sup>: quod si contigerit dispensationem fieri in impedimentis Matrimonialibus, observentur causæ Dispensandi, de quibus in remissionibus supra Cap. 18, ss. 25 de refor:—observetur etiam tenor Cap. 5, ss. 24 de reformatione, junctis declarationibus ejusdem de non Dispensando in 2<sup>o</sup>. gradu consang<sup>i</sup> aut affinitatis, nisi inter magnos principes et ob publicam causam. His suppositis, Dispensationes quæcunque, maxime in Matrimonialibus, antequam executioni mandentur præsentandæ sunt Ordinariis respective locorum; nullusque parochus iisdem uti attentet, sine scitu Ordinarii loci, sub pœna suspensionis juxta alias statuta in hac Provincia Tuamensi.

“3. Dignitarii et Canonici Cathedrales Ecclesiarum Episcopalium Provinciæ Tuamensis sufficienti litteratura sint instructi juxta requisitionem Cap. 12, ss. 24. de refor. in Trid<sup>no</sup>. In casu obitus, exilii, relegationis aut hostilis captionis Episcopi observetur tenor Cap. 16<sup>mi</sup> ss. 24, de refor. in Trid<sup>no</sup>.

“4. Acta et statuta Synodalia Provinciæ Tuamensis jampridem habita An. Dni 1631 et Ano Dñi 1640 observentur cum catalogo ibidem Anni 1631 sive 1638 concepto super quibusdem feriis sive festivitatribus in Prov<sup>a</sup>. Tuamensi communiter retinendis, donec in contrarium de Summi Pontificis mente constiterit; in ipso tamen casu Diœcesis Alladensis et Duacensis in omnibus hunc catalogum non observent.

“5. Missionarii etiam Ap<sup>ost</sup> facultates suas extraordinarias, et nova privilegia Ordinariis respective locorum ostendant priusquam iis uti attentent, neque intervertere aut impedire præsumant parochos in sua

solita administratione Sacramentorum Bap<sup>m</sup>, Mat<sup>m</sup>, Extremæ unctionis, aut Com<sup>m</sup> Paschalis.

"6. Notum sit connubium Catholicorum prohibitum esse cum hæreticis juxta Can<sup>m</sup> 'Cave' et Can<sup>m</sup> 'non oportet' 28: q. 1. et cap<sup>t</sup>. *Decrevit*, de Hæreticis in Sexto—quibus anticanonicis Connubiis Parocho non licet interesse. Casu tamen quo ejusmodi nefanda connubia fieri contigerint, cavere necesse est ut conjux Catholicus non molestetur in exercitio orthodoxæ fidei suæ, ac ut proles rite baptizetur et catholice educetur.

"7. Fas non est Catholicis conjugibus matrimonium contrahere coram ministris aut justiciariis Hæreticis.

"8. Neutiquam permissum est Catholicis parentibus baptizatos suos infantes per ministros Hæreticos rebaptizari.

"9. Statutum est ut Ordinarii et Parochi respective locorum sibi et suis provideant de chrismate et oleo sacro quotannis juxta canones.

"10. Singuli Parochi impendere debent quotannis decem ad minus solidos sterlingos suis respective Ordinariis in eorundem Ordinariorum sustentationem ac nomine Cathedratici, hocque durante præsentis schismate.

"11. Qui vescuntur lacticiniis in Quadragesima aut Feriis 6<sup>is</sup> per annum Eleemosynas solvant commutative in usum captivi aut ægrotantis pauperis.

"12. In ordine ad placandam Divinam Majestatem genti Hybernorum offensam, jejunium quadragesimale cum feriis 6<sup>is</sup> per annum sine lacticiniorum usu observetur aut saltem lacticiniis vespentes eleemosynas commutative in pios usus erogandas largiantur, fiantque publicæ supplicationes super præfata intentione quater in anno durante hoc instante schismate, nempe quatuor anni temporibus. Semper tamen eliminetur abusus potationis.

"*Acta Synodi sive Congregationis Ecclesiæ Tuamensis, habitæ in quodam refugii loco dictæ diæcesis diebus 8, 9, 10, et 11, mensis Januarii, An<sup>o</sup> Dni 1660.*

"1. Hæc Sancta Synodus post Solemnia Missarum, et Spiritus Sancti invocato auxilio, statuit constitutiones provinciales p<sup>er</sup> illustrissimum ac reverendissimum D. D. Malachiam bonæ memoriæ Tuamensem Archp<sup>ri</sup>m cum suis suffraganeis conceptas tam Anno 1631 quam Anno 1640, et acceptatas Anno 1658, continuandas et observandas esse pro Provincia Tuamensi, cumque constitutiones præfatæ, Anni 1640, nondum approbationem sedis Apostolicæ sortitæ sint, statutum est ut confirmatio Apos<sup>ta</sup> super eisdem quanto citius petatur.

"2. Cum in actis Provincialibus prædicti Anni 1631, et in urbe confirmatis catalogus quidem feriarum sive festivitatum descriptus sit in quo dies Sanctorum Lucæ et Marci Evangelistarum, Martini Epis. et Conceptionis B<sup>ea</sup>te M<sup>ari</sup>e pro festis inserti sunt, et tamen quidam in hac Provincia et alibi quasi vice dictarum feriarum sive festivitatum de facto observant dies Sanctorum Sylvestri, Josephi, et Annæ, aliis interea adhærentibus festivitatibus in dicto catalogo nominatis, statuit hæc Synodus pro confusione et scandalis hac in parte removendis sedem Apostolicam esse consulendam, atque interim suadet ut eum quem hactenus tenuerunt modum singulæ Diœceses observent.

"3. Statuit ut continuatio acceptationis Decretorum C. Trid<sup>ni</sup> de quo

in præfatis actis Provincialibus Anni 1631 rata habeatur ac subsistat, excepto Decreto Matrimonium irritante ob defectum præsentis Parochi cum testibus de quo in Trid<sup>o</sup> cap. 1<sup>o</sup>, ss. 24 de reformatione Matrimonii, quod receptum existit in dictis actis, et quod de facto non observatur in Diocesisbus Tuamensi, Clonfertensi, Duacensi, licet observetur in Diocesisbus Elphinensi, Accadensi, et Alladensi.

"4. Decernitur sacramenta administranda esse juxta sacros Can<sup>o</sup> receptasq. rubricas ritualis Romani Pauli V. et laudabilem praxim orthodoxæ Ecclesiæ in Hybernia, ac proinde hac in parte omnes abusus, præsumptiones anticanonicas, et corruptelas abolendos esse; quare relaxationes juris Ecclesiæ non fiant neq. dispensationes sine legitima et rationabili causa. Qui ex missionariis facultatem habent a Sede Apostolica dispensandi in 2<sup>o</sup> gradu consanguinitatis et affinitatis, censet hæc Synodus hoc tantum fieri debere inter viros principes et publicam ob causam ad mentem Con. Trid. ss. 24 de refor. matrimonii Cap. 5<sup>o</sup>. cum Bulla Pii V. Declarationibus et remissionibus super eodem Cap.; definiens ac statuens causas, de quibus in remissionibus ibidem, debere observari in dispensationibus matrimonialibus, non derogando potestati et voluntati summi Pontificis.

"5. Statuit omnes pœnas sive in jure divino sive in antiquo communi, sive in Con. Trid<sup>o</sup>, sive in constitutionibus Provincialibus Tuamensibus jam ante de facto decretas, contra eos qui clandestine, anticanonice, aut illicite matrimonium contrahere attentant, et eos qui ipsis assistunt, sive laici sint aut de clero, innovandas et executioni mandandas esse.

"6. Dignitarii et Canonici Cathedralis sint in quacunq. Ecclesia Cathedrali Prov<sup>ia</sup> Tuñsis, iique sufficienti litteratura instructi juxta Canonum requisitionem. In casu exilii, obitus, relegationis, aut hostilis captionis Episcoporum, provideatur sedibus vacantibus aut vacaturis juxta sacros canones et constitutionem specialem Con. Trid<sup>o</sup>: nec admittantur custodiæ sive guardiæ laicorum sub iisdem sedibus vacantibus aut vacaturis sub pœna Excom<sup>o</sup> ipso facto incurrendæ.

"7. Exclamat hæc Synodus et protestatur contra nefanda connubia Catholicorum cum Hæreticis; ideoque interdicat omnibus Parochis ne hujusmodi matrimoniis intersint, utpote in sacris canonibus prohibitis. Casu vero quo talia connubia contigerint iniri, necesse est ut conjux Catholicus non molestetur in exercitio Cath<sup>o</sup> fidei, et ut proles ex tali connubio oriunda Catholicorum more baptizetur et educetur.

"8. Hæc Synodus dicit et declarat fas non esse conjugibus Catholicis matrimonium contrahere coram ministris aut judiciariis Hæreticis, neque licitum Catholicis parentibus aut aliis deferre infantes baptizandos ad ministros Hæreticos, etiamsi ante de facto Baptizati sint per Presbyterum Catholicum, statuens contravenientes puniendos esse juxta discretionem Ordinariorum; similiter inhibetur ne Catholici compatrini sint inter baptizandum coram ministro Hæretico, nec Hæretici admittendi sunt ut patrini in Baptismate Catholicorum.

"9. Qui vescuntur Lacticiniis in quadragesima aut Feriis 6<sup>is</sup> p annum eleemosynas solvant commutative in pios usus ut alias statutum est.

"10. In ordine ad placandam Divinam Majestatem in hoc calamitoso tempore, jejunium Quadragesimale cum Feriis 6<sup>is</sup> per an. observetur sine lacticiniis, aut saltem lacticiniis vescentes eleemosynas elargiantur in

pious usus: fiantque publicæ supplicationes super dicta intentione et ut Divina clementia serenissimum Regem nostrum Carolum 2<sup>m</sup> ad meliora dirigere et incolumem servare dignetur, idque quater in anno durante schismate, nimirum quatuor anni temporibus.

"11. Quandoquidem de jure communi est et universalis Ecclesiæ praxis, ut appellationes fiant a suffraganeis ad sedem metropolitanam provincie, hæc Synodus dicit et statuit appellationes rite factas aut faciendas in Provincia Tuamensi ad vicarium-generalem Tuñsem pro tempore existentem, præsertim absente vel exulante ipso Archipo, deferendas esse, ut jura statuunt: et contumaces sive inobedientes puniendos esse juxta Sa<sup>a</sup> Canones.

"12. Illustrissimus D. Johannis Firmanus, Archipds et Nuncio Extraordinarius Sedis Apostolicæ in Hybernia, tulit de facto quasdam censuras contra aliquas personas et loca regni Hybernice Anno Dñi 1648 in causa Truciæ sive cessationis armorum inter supremum concilium Kilkinnense et Baronem de Inchequin, quæ censuræ cum aliis assertis censuris, sive pœnis circa dictam causam incidentibus, multorum concientias gravant, huic congregationi expedire videtur ut sedes Apos<sup>a</sup> super hac causa quam primum consulatur.

"13. Singuli Parochi singulari studio incumbant ut rudes et pueri debite catechizentur.

"14. Caveant omnes a Jansenismo, et novis aut suspectis opinionibus, nec ulli præsumant in rebus gravibus tradere opiniones maxime in scriptis in favorem cujusq̃m. inconsulto Ordinario aut superiore.

"15. Cum ebrietas sit radix multorum malorum, monentur omnes prædicatores et parochi ut acriter invehantur contra potatores, et maxime cogentes alios ad excessivas potationes et immoderatas propinationes (Hibernice Slantigh): quod si qui culpabiles et incorrigibiles hac in parte inveniantur, si laici sunt indicentur, si vero Ecclesiastici deponantur.

"16. Traditores et proditores personarum Ecclesiasticarum in manus Hæreticorum excommunicentur.

"17. Prava jurandi consuetudo, blasphemandi, execrandi homines, aut alias creaturas Dæmonibus devovendi; item maleficia, veneficia, incantationes, pacta Dæmonica, consultationes cum Pythonissis, Sagis et similibus suspectis personis, item omne genus superstitionis, quales sunt Cruces, Imaginum aut lapidum collectiones, orationes superstitionis, herbarum curationes, insufflationes, mensurationes, collectiones superstitionis herbarum et curationes cum similibus e medio tollantur; transgressores vero et eorum participes severe puniantur. Si incorrigibiles sint segregentur a communione fidelium.

"18. Prohibentur tripudia, tibicines, symphonie, comissiones et alii abusus in visitatione fontium et aliorum Sacrorum locorum, maxime tempore indulgentiarum. Item affectiones filiorum et similium ad fontes quæ superstitionem potius redolent quam devotionem, et caveatur ne sub specie devotionis omittant audire Missam Diebus Dom<sup>b</sup> et festivis in hujusmodi occasionibus.

"19. Ob temporum injuriam et confusionem irrepsit prava consuetudo inter nos ut quidam laici intuitu lucri soleant circumire cum crucibus, baculis, campanulis, lapillis in reliquiariis, imponentes manus plebi, et benedictionem impertientes quasi more clericorum, aquam benedicentes

&c., statuit hæc Synodus ut hic abusus aboleatur, et ut minime liceat circumferre incertas reliquias.

"20. Moneantur omnes ut in Exequiis Catholicorum abstineant ab immoderatis potationibus, commissionibus, tripudiis, lulis et similibus profanis corruptelis injuria temporum introductis, atque item incondito mulierum ululatu: transgressores vero inducantur ut excessivos hujusmodi sumptus seu notabilem eorum partem in Eleemosynam et pro Missis faciendis impendant animabus defunctorum.

"21. Cohibeantur in quantum fieri potest frequentationes nundinarum et mercaturarum absque gravi necessitate diebus festivis relicto sacro, et rixantes in eisdem puniantur severe ab Ordinariis; monendique sunt omnes ut festivitates receptas observent juxta canones et praxim Ecclesiae.

"22. Moneantur omnes ordinandi ut linguam Hybernicam tam scribere quam legere apprime discant, ut hinc magis idonei sint ad curam animarum suscipiendam.

"23. Intimetur Sacrae Congregati de Propaganda Fide necessitas missionis faciendae pro exulibus Hybernis qui sunt in Insulis Americae ex clero nationis nostrae qui sunt in partibus ultramarinis, et quod alii ex eodem Clero ad nos remittantur ad sustinendum onus curae animarum, sub quo ultra vires laboramus in summa temporum calamitate.

"24. Mandat hæc Synodus omnibus capitulis, parochis aut Ecclesiasticis curam animarum gerentibus, ut nullus in ultra marinis partibus degens in re aut causa jurisdictionis aut curae animarum, officio vel dispensatione suscipiatur, nisi visis prius litteris authenticis officii, provisionis seu promotionis, talis sponsi ab ordinario aut Metropolitano approbatis.

"25. Quoniam de cleris hujus regni alii foris sint, partim studiis vacantes, partim in exilium acti, alii vero remanserunt in multis tentationibus atque adeo ipsis calamitatibus experientiam dederunt, optamus plurimum ac humillime petimus ut sua Sanctitas informari se curet de qualitatibus ac talentis eorum quos praesse voluerit ovibus; et si ita videbitur, promovere dignetur indifferenter ac sine exceptione personarum quos aptiores invenerit juxta meritum rationem, e quibus, ceteris paribus, ii praeferendi videntur qui vincula, carceres, et persecutiones toleraverunt, ut non relinquatur locus quærelis, quod novi homines praeferrantur iis qui pondus diei et aestus sustinuerunt, imo et positi manent quasi signum ad sagittam.

"26. Habeant singuli pastores Biblia Sacra, Catechismum Romanum, Con<sup>m</sup> Trid<sup>m</sup> cum Declarationibus Cardinalium, et Dominicales Sermones; Bulla Coenae Dñi juxta mandata S<sup>m</sup>i Pontificis publicetur quotannis lingua vernacula in Diocesibus Prov<sup>cia</sup> Tu<sup>m</sup>sis.

"27. Curent Ordinarii collectas facere pro imprimendis vitis San<sup>ctae</sup> Hyberniae descriptis p<sup>er</sup> venerabilem fratrem Johannem Colganum ord<sup>in</sup>: min: iis scil. quae nondum impressae sunt.

"28. Captivi Sacerdotes redimantur aut saltem in carceribus sustineantur et qui eorum causa passi sunt, sublevantur, item et pauperes studiose promoveantur.

"29. Delatis ad hanc congregationem diversis rationibus de ossibus et reliquiis bonae memoriae R<sup>ev</sup>er<sup>endi</sup> Dñi Malachiae ultimi Tu<sup>m</sup>sis Arch<sup>iep</sup>i in nupero Catholicorum bello interfecti ab Hæreticis, quibus utitur R<sup>ev</sup>er<sup>endus</sup>



D. Jacobus Finachty sacerdos et Exorcista Diœcesis Elphinensis inter alia expellendis Dæmonibus et aliis infirmitatibus curandis; facta inquisitione de veritate eorum, quamvis nonnulla signa et curationes Divina virtute videntur operari, justas tamen ob causas in ulteriorem probationem distulit Synodus easdem pro veris et indubitatis viri sũ reliquiis admittere.

“30. Statuit Synodus ut qui de clero Prov<sup>da</sup> Tuĩsis, maxime Vicarii-Generales, post tempestivam admonitionem ad hanc Synodum non accesserunt, nisi legitimam absentię suę causam offerant, contra eosdem juxta sacros Canones procedatur, maxime si inobedientes inveniantur.

“31. Rev<sup>dm</sup> D<sup>nus</sup> Richardus Size Decanus Alladensis decretum Benedicti admodum D<sup>ni</sup> Joannis Dulei Vicarii-Gen. Tuĩsis obtulit in sui favorem contra Dominum Bernardum Kelly dictæ Alladensis Diœcesis presbyterum nuper conceptum in causa quadam beneficii ad sedem Tuamensem vi appellationis devoluta, cujus decreti beneficium obtinere nequit, Rev<sup>do</sup> admodum Domino Jacobo Lynch Vic<sup>o</sup>-Gen. Alladensi impediēte; obtulit etiam et quamdam scedulam quærelarum contra personam dicti vi<sup>i</sup> Gen<sup>i</sup>. Alladensis, quibus auditis cum dictus Jacobus non esset præsens licet Dñs Carbricius Canavan fidem fecerit, se illum mandato Vic<sup>i</sup>-Gen<sup>i</sup> Tuĩsis, submonuisse ad comparandum die et loco prædictis, tamen Synodus supplicavit ut dictus D<sup>nus</sup> Vic<sup>us</sup> Gen<sup>i</sup> Tuĩsis dignaretur idem decretum cum præfatis quærelis de novo revidere in ordine ad reconciliationem.

“32. Ratio villicationis et obsequii postulat ut sedes Ap<sup>os</sup> informetur de statu hujus Patriæ, ejus calamitatibus et persecutionibus, quod ita diuturnæ sint et graves ac multiplices ut scriptis comprehendere vix possint. Quare visum est huic Synodo summe necessarium ut summus Pastor gregis sui et commissarum sibi ovium in extrema temporum necessitate periclitantium plenam habeat notitiam, atque in hunc finem decrevit suum agentem in urbem destinare qui hæc præsens referat et plura quæ forsitan tutum non est calamo committere; unde censuit collectas aliquas exigi debere a Parochis hujus Provinciæ pro tenuitate eorundem quo possit iter suum perficere et correspondentiam aliquam statuere, quo facilius mentem summi Pontificis percipere possit, atque ita suæ Sanctitatis et Sedis Apostolicæ benedictionem humillime imploret, cujus obsequiis unanimi consensu et se et sua devovet in æternum.

“Interfuerunt huic Synodo die et loco quibus supra, et Actis ejusdem consenserunt:—

“Reverendus admodum Dominus Joannes Dulus, Vicarius-Generalis Tuamensis, et Præses Congregationis.

“Reverendus admodum Dominus Thomas Higgins, Vicarius-Generalis Elphinensis, cum suo assistente, Domino Edmundo Teige, Presbytero.

“Dominus Phelimus O’Hara, et Dominus Thadæus O’Donocher, et Dominus Hilarius Convey, vicemgerentes Reverendi admodum Domini Jacobi Fallon, Vicarii-Generalis Apostolici Accadensis, jam incarcerati.

“Dominus Richardus Seize, Decanus Alladensis.

“Dominus Richardus Jordan, Canonicus Tuamensis, et Abbas.

“Dominus Bernardus Byrne, Archidiaconus Elphinensis, et Abbas Sanctissimæ Trinitatis de Loughrea.

“Assistebant similiter:—

“Reverendus admodum Dominus Gulielmus de Burgett, Vicarius-Generalis Emlicensis de Provincia Casseliensi.

“Reverendi admodum Patres, Frater Joannes Hart, Provincialis Ordinis Prædicatorum per Hiberniam; et Frater David Jordan, Procurator Ordinis Eremitarum Sancti Augustini.

“Reverendus admodum Dominus Donaldus Kelly, Vicarius-Generalis Clonfertensis.

“Excusavit se litteris Reverendus admodum Dominus Jacobus Lynch, Vicarius-Generalis Alladensis, et non interfuit.

“De Festis in Provincia Tuamensi observandis, aliqua sunt observanda ex obligatione, et aliqua ex devotione.

“*Ex Obligatione:—*

“Omnes Dominicæ per annum.

Circumcisio Domini.

Epiphania.

Festum Sanctæ Brigidæ.

Purificatio Beatæ Mariæ Virginis.

Festum Sancti Mathiæ Apostoli.

Festum Sancti Patricii, Hiberniæ Patroni.

Annunciatio Beatæ Mariæ Virginis.

Secunda et tertia Feria Paschalis.

Festum Sanctorum Philippi et Jacobi Apostolorum.

Ascensio Domini.

Secunda et tertia Feria Hebdomadæ Penticostis.

Festum Corporis Christi.

Nativitas Sancti Joannis Baptistæ.

Festum Apostolorum Petri et Pauli.

Festum Sancti Jacobi Apostoli.

Festum Sancti Laurentii Martyris.

Assumptio Beatæ Mariæ Virginis.

Festum Sancti Bartholomei Apostoli.

Nativitas Beatæ Mariæ Virginis.

Festum Sancti Mathæi Apostoli et Evangelistæ.

Dedicatio Sancti Michaelis Archangeli.

Festum Sancti Lucæ Evangelistæ.

Festum Sanctorum Simonis et Judæ Apostolorum.

Festum Omnium Sanctorum.

Festum Sancti Martini Episcopi et Confessoris.

Festum Andreæ Apostoli.

Conceptio Beatæ Mariæ Virginis.

Festum Sancti Thomæ Apostoli.

Nativitas Domini.

Festum Stephani Proto-Martyris.

Festum Sancti Joannis Apostoli et Evangelistæ.

Festum Sanctorum Innocentium.

Festum Patronorum Ecclesiarum Parochialium.

“Si Festum Sancti Marci inciderit in Dominicam in Albis, celebratur feria quarta post dictam Dominicam tam a clero, tam a populo. Si vero in aliam Dominicam inciderit festum, servabitur in illa die Dominica processio; et abstinencia a carnibus sequenti die atque jejunium usque ad prandium servetur. Item servabitur si translatum sit in feriam quartam post Dominicam in Albis, item si concurrat cum festis Apostolorum Philippi et Jacobi aut Sanctæ crucis.

*Quæ ex Devotione sunt observanda:*

Visitatio Beatæ Mariæ Virginis.

Commemoratio Omnium Fidelium defunctorum usque ad meridiem.

Festum Sanctæ Catharinæ Virginis et Martyris.

Exaltatio Sanctæ Crucis.

Feria quarta Cinerum, feria quarta

et sexta majoris Hebdomadæ usque ad meridiem.

Meminerint omnes quod Dedicatio uniuscujusque Ecclesiæ cele-

branda sit Dominica prima sequente festum Sancti Remigii, si non inciderit in ipsum.

"N.B.—This list of feasts seems to have been sanctioned by Dr. Quæly, and to be part of the acts of the Council of 1631, or an appendix put to it by himself in 1633. It immediately succeeds that Council in the approved copy of those ordered in 1752 to be printed (see p. 500 *sup.*).

"NOTE.—In a copy of these statutes probably possessed by M. Rev. Dr. Ant<sup>y</sup> Blake, A. B., of Armagh, and which contains only the statutes made in 1631 and '39, under A. B. Quæly, and the 'Summa Compendiosa' made in 1658, at the end of the latter is found the following additional and original decree, signed by the undernamed Bishops in their own hand-writing:—

"Prædicta Statuta a quibusdam erroribus, quæ chartis injuria temporum irrepserant, expurgata quantocius typis imprimi demandavimus in consessu habito in pago dicto Ball, hac die 1<sup>a</sup> mensis Septembris, Anno 1752."

"MARCUS, Ar<sup>p</sup> Tuamensis.

"PETRUS DONNELLAN, Ep<sup>us</sup> Clunfert'.

"WALTERUS BLAKE, Ep<sup>us</sup> Achadensis.

"FR: JOHANNES BRETT, Ep<sup>us</sup> Elfinen'.

"FR: PETRUS KILLIKELLY, Ep<sup>us</sup> Duacen' et Administ' Finibor'.

"BON<sup>us</sup> M<sup>c</sup>DONNELL, Ep<sup>us</sup> Alladensis.

"ANTONIUS BLAKE, Wardianus Galvien' et Decanus Tuam'."

The Decrees of the Tuam Synods, held under Drs. O'Gara and Skerrett, will appear, D. V., in a future volume.

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LAUS DEO, ET IMMACULATÆ VIRGINI MATRI MARIE.

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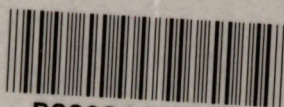


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